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Monday in November next, to answer as well to us for the contempt as to the said Brooke Beall for his damages and injuries in this behalf done and have you then there this writ. Witness William Craik esquire chief Justice of our said court the 24th day of march 1794. — Issued the 20th day of June 1794 (B. Johnson) Wm. Ritchie Clerk.

At which said third monday of november in the year seventeen hundred and ninety four being the day of the return of the last aforegoing writ to wit comes the said Brooke Beale by his Attorney aforesaid, and the Sheriff of Frederick county to whom the same writ was directed also comes and makes return thereof to the court thus endorsed, to wit.

Executed Tobias Butler Sheriff

And the said Daniel Fister by Arthur Shaaff his attorney comes and defends the force and injury when and so forth and prays that upon his giving security according to act of assembly a writ of returno habendo may issue directed to the sheriff of Frederick county aforesaid and it is granted. Thereupon the said Daniel Fister produces to the Court here the following bond to wit. Know all men by these presents that we Daniel Fister and Abraham Lemaster are held and firmly bound unto Brooke Beall in the sum of fifty pounds current money to be paid unto him the said Brooke Beall his certain Attorney Ex.tors adm.tors or assigns to the which payment well and truly to be made and done we bind ourselves our heirs Ex.tors adm.tors and assigns jointly and severally firmly by these presents sealed with our seals and dated this 29th day of November 1794. — Whereas the aforesaid Brooke Beall has prosecuted an action of Replevin out of Frederick county court against the aforesaid Daniel Fister for the recovery of one gelding, and a Withernam has issued against the said Fister on the return of the sheriff in the said Replevin. Now the condition of the above obligation is such that if the aforesaid Daniel shall well and truly make return of the aforesaid gelding if return thereof shall be adjudged against him in the determination of the aforesaid replevin and likewise well and truly pay and satisfy all costs damages and charges that shall be adjudged against the said Daniel Fister in case the said Replevin should be determined him then the said obligation to be void or else to remain in full force and virtue.

Signed Sealed and delivered in the presence of Geo: Schnertzell. Arthur Shaaff — } Dan.l Fister (Seal) Abraham Lemaster (Seal)

And the said Daniel Fister by his attorney aforesaid prays leave to imparle hereunto until the next court and he hath it, the same day is given to the pltff also. — At which said next court, to wit, the

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fourth monday of march in the year seventeen hundred and ninety five come here again the said parties plaintiff and defendant by their attornies aforesaid and at the prayer of the said defendant by his said attorney the said Plaintiff is adjudged to declare against the said defendant in the plea aforesaid, whereupon the said plaintiff declares against the said Defendant in the plea aforesaid as follows to wit. —

Frederick County, to wit. Daniel Fister late of Frederick county Innkeeper was summoned to answer unto Brooke Beall of a plea wherefore he took one Gelding of him the said Brooke Beall and the same gelding unjustly detains against sureties and pledges and so forth. And whereupon the said Brooke Beall by John T. Mason his attorney complains that the aforesaid Daniel Fister on the first day of march in the year of our Lord one thousand seven hundred and ninety four at the county afor.d in a certain place there called the farm and plantation of him the said Brooke Beall the proper Gelding of him the said Brooke Beall and the same Gelding doth unjustly detain against sureties and pledges and so forth, wherefore the said Brooke Beall saith he is the worse and hath damage to the value of five hundred pounds current money and therefore he brings suit and so forth. — Pledges and so forth. John Doe & Rich.d Roe

And the said Defendant by his attorney aforesaid prays further leave to imparle hereunto until the next court and he hath it, the same day is given to the plaintiff also. — At which said next court, to wit, the third monday of November in the year seventeen hundred and ninety five comes here again the said David Fister by his Attorney aforesaid and it is suggested to the court here that since the last continuance of the plea aforesaid the said Brooke Beall died and the same is not denied. Whereupon a certain Margaret Beall and Upton Beall to whom administration of all and singular the goods and chattels rights and credits which were of the aforesaid Brooke Beall at the time of his death hath in due form of law been committed come here likewise by John Thomson Mason their Attorney and appear to prosecute in the plea aforesaid according to the form and effect of the act of assembly in such cases made and provided. And the said Daniel Fister by his Attorney afor.d prays further leave to imparle hereunto until the next court and he hath it, the same day is given to the said Margaret Beall and Upton Beall the administrators aforesaid also.

At which said next court, to wit, the fourth Monday of March in the year seventeen hundred and ninety six come here again as well the said Margaret Beall and Upton Beall administrators of the said Brooke Beall by their attorney aforesaid as the said Daniel Fister by his Attorney aforesaid, and the said Daniel Fister by his said Attorney as before defends the force and injury when