chief Justice of the said court the 6th. day of February in the year of our Lord 1804.

Issued the 29th. day of June 1804. Wm. Ritchie Clerk.

At which said first Monday of August in the year one thousand eight hundred and four, being the day of the return of the aforegoing writ, comes into court here the said Robert Edmondson by his Attorney aforesaid and the Sheriff of Frederick County, to whom the same writ was directed, makes return thereof to the court, thus endorsed, towit, "Execd. George Creager Sheriff."

And the said George Creager Esquire Sheriff as aforesaid although solemnly called as the manner is to bring into court the said Elias Boteler, according to the command of the writ and his return thereof as aforesaid brings him not in but makes default, whereupon on motion of the said Robert Edmondson by his said Attorney it is considered by the court here that the said George Creager Sheriff be amerced the sum of five shillings Current money unless he have the body of the said Elias Boteler here at the next court, to be held for the County aforesaid on the first Monday of February next to answer unto the said Robert Edmondson in the plea aforesaid the same day is given to the said Robert Edmondson &c.

And the said Robert Edmondson declares against the said Elias Boteler in the plea aforesaid, as follows towit, Frederick County, towit, Elias Boteler late of Frederick County, yeoman, was attached to answer unto Robert Edmondson in the plea of trespass on the case and so forth; And whereupon the said Robert by R. B. Taney his Attorney complains that whereas on the sixteenth day of March, in the year of our Lord eighteen hundred and one at Frederick County aforesaid in consideration that the said Robert at the special request and instance of the said Elias had agreed to become pledge and bail for a certain Benjamin May in a certain action of debt for twenty nine pounds and six pence Current money, prosecuted against the said Benjamin in Frederick County Court by a certain Robert Macgill he the said Elias undertook and then and there faithfully the said Robert Edmondson to indemnify and keep harmless the said Robert Edmondson of and from all manner of costs, damages and charges

(to

to which the said Robert Edmondson might be subject by reason of becoming pledge and bail for the said Benjamin May in the suit aforesaid; and the said Robert Edmondson avers that relying on the promise and undertaking of the said Elias so as aforesaid made he the aforesaid Robert Edmondson did afterwards, that is to say, on the same day and year aforesaid come into Frederick County Court here in his proper person and then and there in the same court become pledge and bail for the said Benjamin May that if it should happen the Judgment should be rendered by the said Court for the aforesaid Robert Macgill against the said Benjamin May in the said action of debt for twenty nine pounds and six pence Current money prosecuted by the said Robert Macgill against the said Benjamin May in the said Court then the said Robert Edmondson granted that all such damages costs and charges which should be adjudged to the said Robert Macgill in that behalf by the said Court should be made of his body lands and chattels and levied to the use of the said Robert Macgill if it should happen that the said Benjamin May all such damages, costs and charges, unto the said Robert Macgill should not pay or should not render his body in execution of such Judgment on that occasion to the prison of the said County as by the said Record of the said recognizance remaining here in Court more fully appears. and the said Robert Edmondson also avers that afterwards that is to say in the said Frederick County Court begun and held at Frederick Town on the third Monday of November in the year eighteen hundred and one the said Robert Macgill by the Judgment of the said Court recover'd against the said Benjamin May twelve the sum of twenty nine pounds and six pence Current money debt as the sum of one hundred pounds Current money for his damages by reason of the detention of the said debt and the quantity of four hundred and five pounds of Tobacco for his costs and charges by him laid out and expended in recovering the same. The said Judgment to be released on the payment of fourteen pounds ten shillings and three pence Current money with interest thereon from the fifth day of December seventeen hundred and ninety eight until paid, and the said quantity of four hundred and five pounds of Tobacco the costs and charges as aforesaid whereof

the