April Term 1764

Mr. Peter Rench . . . . . .

against

Mr. Henry Wall and Francis Ferdinand Stamater } Command was given to the Sheriff of Frederick County that he should take Henry Wall late of Frederick County planter and Francis Ferdinand Stamater late of Frederick County planter otherwise called Henry Wall and Frances Ferdinand Stamater both of Frederick County and Province of Maryland if they should be found in his Bailiwick and them safe keep so that he might have their Bodies before the Justices of his Lordships Provincial Court to be held at Annapolis the second Tuesday of April then next to answer unto Peter Rench in a plea that they render unto him the full and just sum of four hundred and ten pounds Current Money which to him they owe and unjustly detained and so forth And that thereof he the said Sheriff should not fail and so forth

And the said Peter Rench declared against the said Henry Wall and Francis Ferdinand Stamater in the plea aforesaid as follows to wit // Frederick County to wit Henry Wall late of Frederick County planter and Francis Ferdinand Stamater late of Frederick County planter otherwise called Henry Wall and Frances Ferdinand Stamater both of Frederick County and Province of Maryland were summoned to answer unto Peter Rench in a plea that they render unto him the full and just sum of four hundred and ten pounds Current Money which to him they owe and unjustly detain and so forth And Whereupon the said Peter by Thomas Johnson Junior his Attorney saith that whereas the aforesaid Henry and Francis on the fourteenth Day of February in the Year seventeen hundred and sixty at Frederick County aforesaid by their certain Writing Obligatory acknowledged themselves to be held and firmly bound unto him the said Peter in the aforesaid full and just sum of four hundred and ten pounds Current Money to be paid to him the said Peter when afterwards they should be thereunto required Nevertheless the aforesaid Henry and Francis (altho often thereunto required) the aforesaid sum of four hundred and ten pounds Current Money to him the said Peter have not rendered or paid but the same to him hitherto to render or pay they have altogether refused and still do refuse wherefore he saith he is the worse and hath damage to the value of two hundred pounds Current Money aforesaid and therefore he brings Suit and so forth and brings hereinto Court the Writing Obligatory aforesaid Sealed with the Seals of the aforesaid Henry and Francis which the Debt aforesaid in form aforesaid Witnesseth whose Date is the Day and Year aforesaid and so forth

Pledges and so forth John Doe and Richard Roe

A Copy of which aforegoing Declaration was made and sent with the Writ which I found in the plea aforesaid.

And now here at this Day to wit the 12th Day of April Anno Domini 1763 being the Day

(of)

of the Return of the aforegoing Writ comes the said Peter Rench 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 here thus Endorsed to wit // Cepi Copy in Parte Thos. Prather Shff.

And the said Henry Wall and Francis Ferdinand Stamater being called upon to appear And at the prayer of the Plaintiff by his Attorney aforesaid the said Henry Wall and Francis Ferdinand Stamater are adjudged to give Special Bail to the Action aforesaid Thereupon a certain James Walling Junior of Frederick County present here in Court undertakes for the said Henry Wall and Francis Ferdinand Stamater that in Case the said Peter Rench shall recover Judgment against the said Henry Wall and Francis Ferdinand Stamater in the plea aforesaid or that the said Henry Wall and Francis Ferdinand Stamater shall be thereon legally Convict that then the said Henry Wall and Francis Ferdinand Stamater shall pay the Condemnation of the Court thereupon or deliver themselves to the Custody of the Sheriff of Frederick County in Satisfaction thereof or that he the said James Walling Junior will do the same for them

And the said Henry Wall and Francis Ferdinand Stamater by Thomas Jennings their Attorney defend the force and Injury when and so forth and pray leave to imparle hereunto until next Court and they have it the same Day is given to the Plaintiff also

At which said next Court to wit the 10th Day of September Anno Domini 1763 Come again the said parties Plaintiff and Defendants by their Attorneys aforesaid and the said Defendants by their said Attorney pray further leave to imparle hereunto until next Court and they have it the same Day is given to the Plaintiff also

At which said next Court to wit the 10th Day of April Anno Domini 1764 Comes again as well the said Peter Rench by his Attorney aforesaid as the said Henry Wall and Francis Ferdinand Stamater by their Attorney aforesaid And the said Henry Wall and Francis Ferdinand Stamater by their said Attorney (as before) defend the force and Injury when and so forth and pray an hearing of the Writing Obligatory aforesaid mentioned and to them it is read they also pray an hearing of the Condition of the same Writing Obligatory and it is read unto them in these words following to wit // The Condition of the above Obligation is such that if the above bounden Henry Wall or Frances Ferdinand Stamater or either of them or either of their Heirs Exors or Admrs doth well and truly pay or cause to be paid to Peter Rench his heirs or Assigns the Just sum of two hundred and five Pounds Current Money of Mary.d as aforesd at or by the first Day of Feb: next ensuing the Date hereof without fraud or further delay then the above Obligation to be void and of none Effect otherwise to stand and remain in full force and Virtue in Law Which being read and heard the aforesaid Henry and Francis say that they with the Debt aforesaid by Virtue of the Writing aforesaid to be burthened ought not because they say that the Writing aforesaid is not the Deed of them the said Henry

(and)