above bound Thomas Elliott do and shall well and truly pay or cause to be paid unto the said Jonathan Plowman his certain Attorney Executors Administrators or Assigns the just and full Sum of Twenty eight pounds fifteen shillings of Like Sterling Money with Legal Interest for the same then the above Obligation to be void else to remain in full force and Virtue in Law And the said Thomas Elliott by his said Attorney as before defends the force and injury when and forth and prays leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 12th day of June Anno Domini 1765 come again the said parties plaintiff and Defendant by their Attornies aforesaid And the said Defendant by his said Attorney prays further Leave to imparle hereunto until next and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 18th day of August Anno Domini 1765 come again the said parties Plaintiff and Defendant by their Attornies aforesaid And the said Defendant by his said Attorney prays further Leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also At which said next Court to wit the 18th day of November Anno Dom 1765 come again the said parties plaintiff and Defendant by their Attornies aforesaid And the said Defendant by his said Attorney prays further Leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also At which said next Court to wit the 12th day of March Anno Domini 1765 comes again as well the said Jonathan Plowman by his Attorney aforesaid as the said Thomas Elliott by his Attorney aforesaid And the said Thomas Elliott by his said Attorney produces to the Court here his Lordships Writ of Habeas Corpus the Tenor whereof follows in these Words Viz.

Mayland ss. Frederick Absolute Lord and Proprietary of the Provinces of Mayland and Avalon Lord Baron of Baltimore and so forth to the Justices and Sheriff of Ann Arundel County Greeting Whereas a certain Thomas Elliott is Detained in the Prison of our said County under the Custody of you our said Sheriff at the Suit of a certain Jonathan Plowman of a plea of Debt which said plea as it is said still depends before you our said Justices undetermined and we being willing for divers Causes that the plea aforesaid undetermined as aforesaid shall be heard and Determined before the Justices of our Provincial Court there of We command you that you have the Body of the said Thomas Elliott by whatsoever Name he be called in the plea aforesaid together with the Day and Cause of his Caption and Detainer and all things thereunto relating before the Justices of our Provincial Court to be held at Annapolis the second Tuesday of September next that our said Justices may further proceed therein as to Justice Appertains and so forth Hereof fail not at your Peril and have you then and there this Writ Witness John Brice Esqr. Chief Justice of our Provincial Court the 10th day of April in the 15th Year of our Dominion and so forth And in the Year of our Lord one thousand Seven hundred and sixty five Issued the 11th June 1765 (J Hall) Rd Ridout Dpty Chiselin Clk

Read

Allowed per John Brice Which being Read and heard the same is allowed of and the Records and proceedings with all things thereunto relating are ordered to be transmitted to the next Provincial Court In Testimony that the foregoing is a true Copy from the Records and proceedings of Ann Arundel County March Court 1765 I have hereunto Set my Hand and Affixed the Seal of the County aforesaid this 9th day of July Anno Dom. 1765

Brice Junior Clk Cur Pro

And the said Thomas Elliott by John Hall his Attorney comes and defends the force and injury when & forth and prays a hearing of the Writing Obligatory aforesaid and it is read unto him. Know all Men by these Presents that I Thomas Elliott of Ann Arundel County in the province of Mayland Planter am held and firmly bound unto Jonathan Plowman in the full and just Sum of Fifty seven pounds ten Shillings Sterling Money of Great Britain to be paid unto the said Jonathan Plowman his certain Attorney Executors Administrators or Assigns to the which payment well and truly to be made and done I bind myself my Heirs Executors and Administrators in the Whole and for the Whole firmly by these Presents Sealed with my Seal and Dated this twenty fifth day of March Anno Domini one thousand seven hundred and sixty three he prays also a hearing of the Condition of the same Writing and it is read unto him in these Words Viz. The Condition of the above Obligation is such that if the above bound Thomas Elliott do and shall well and truly pay or cause to be paid unto the said Jonathan Plowman his certain Attorney Executors Administrators or Assigns the just and full Sum of Twenty eight pounds fifteen Shillings of Like Sterling Money with Legal Interest for the same then the above Obligation to be void else to remain in full force and Virtue in Law Which being read and heard the said Thomas Elliott prays Leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the 9th day of April Anno Domini 1766 comes again as well the said Jonathan Plowman by his Attorney aforesaid as the said Thomas Elliott by his Attorney aforesaid and the said Thomas Elliott by his said Attorney as before defends the force and injury when and forth and saith that he with the Debt aforesaid by Virtue of the Writing Obligatory aforesaid to be burthened ought not be cause he saith that that Writing is not his Deed and of this he puts himself upon the County and forth the aforesaid Jonathan Plowman in like manner and forth And the aforesaid Thomas by Leave of the Court here and according to the Form of the Statute in such Case lately made and provided further defends the force and injury when and forth and saith that the aforesaid Jonathan his Action aforesaid against him to have or maintain ought not because he saith that before the Day of the impetration of the Original Writ aforesaid he paid to the said Jonathan the aforesaid Sum of Money in the Condition aforesaid mentioned and all Interest thereon due to wit at the County aforesaid and this he is ready to Verify &c. Wherefore he prays Judgment if the aforesaid Jonathan his Action aforesaid against him to have or Maintain ought and forth And the aforesaid Jonathan Plowman saith that he from having and Maintaining his Action aforesaid against the aforesaid Thomas Elliott ought not to be precluded because he saith that the aforesaid Thomas Elliott at the Day & Place mentioned in the said Condition did not well and truly pay and Discharge unto him the same Jonathan Plowman the aforesaid Sum of Money in the Condition aforesaid mentioned according to the Form and Effect of the Condition aforesaid in manner and Form as the aforesaid Thomas Elliott above in pleading hath alledged and this he prays may be enquired of by the Country and forth And the aforesaid Thomas Elliott in like Manner and forth Now the said Thomas Elliott by his Attorney aforesaid Relinquishes the Averments aforesaid above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Jonathan Plowman as aforesaid against him brought nor but the Writing Obligatory aforesaid is the Deed of him the said Thomas Elliott nor but that he owes to the same Jonathan Plowman the aforesaid Sum of Fifty seven Pounds ten Shillings Sterling Money of Great Britain

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