William P Hardesty
vs
James Ratry use of
David Stewart

Be it remembered that heretofore to wit on the twentieth day of July in the year of our Lord one thousand eight hundred and twenty one William P Hardesty by James Boyle his attorney prosecuted and sued forth out of the court of chancery of the state of Maryland the writ of the said State for the correcting of error directed to the Honourable the judges of the third Judicial District in the words and of the tenor following to wit:

Maryland Sct The State of Maryland To the Honourable the judges of the third Judicial District greeting Because in the record and proceeds and also in the rendering of judgment in a certain action brought by James Ratry for the use of David Stewart against William P Hardesty in anne arundel County court for the sum of seventy dollars currentmoney Debt and three hundred dollars currentmoney damages and costs Damages to be released on payment of interest on the said debt from the fifteenth day of May one thousand eight hundred and nineteen and costs as a County Court held before you your said Judges at April term 1821 manifest error as it is said hath happened to the great damage of the said William P Hardesty as of his complaint we have received. And we being willing that the errors if any there be should be duly corrected and full and speedy justice done to the said William P Hardesty in this behalf command you that if judgment be thereof rendered that then the record and proceeds aforesaid with all things thereunto relating under your seals distinctly and openly you send and this writ so that the same may be had before the Judges of our high Court of Appeals at the city of annapolis on the first monday of December next that the record and proceeds aforesaid being inspected we may further do therein for correcting that error which of right and according to the laws and customs of this state may be done Witness the honourable William Kilty chancellor this twentieth day of July eighteen hundred and twenty one

Test Ramsay Waters Reg Cur Can

At which mentioned first monday in December being the third day of the said month in the year of our Lord one thousand eight hundred and twenty one and the day of the return of the foregoing writ the judges of the third Judicial District to whom the said writ was in form aforesaid directed in pursuance thereof and according to the form and effect of the statute in such case made and provided certify and transmit to the Court of appeals here together with the said writ a record of the proceedings of the judgment in the said writ mentioned and which said record is in form following to wit:

Maryland Anne Arundel County to wit:

At a County Court of the third Judicial District of the State of Maryland begun and held at the city of Annapolis in and for anne arundel County aforesaid on the third monday of april being the sixteenth day of the same month in the year of our Lord one thousand eight hundred and twenty one and in the forty fifth year of the Independence of the United States of America.

Present

The Honourable Jeremiah Townley Chase Esquire chief judge
Richard Ridgely and Charles S Kilgour } Esquires associate judges
Benjamin Gaither Esquire Sheriff William S Green Clerk

In the record of proceedings of the same Court among others is the following to wit:

James Ratry for the use of David Stewart
vs
William P Hardesty

Be it remembered that heretofore to wit on the eighth day of April in the year of our Lord one thousand eight hundred and twenty the said James Ratry by Edward Harwood his attorney prosecuted and sued forth out of the County Court here the writ of the State of Maryland of Capias ad respondendum directed to the sheriff of anne arundel County in the words following to wit:

Anne Arundel County St. The State of Maryland to the sheriff of anne arundel County greeting you are hereby commanded to take William P Hardesty late of anne arundel County yeoman if he shall be found in your bailiwick and him safe keep so that you have his body before the County Court to be held at the city of annapolis on the third monday of april instant to answer unto James Ratry in a plea that he render unto him the sum of seventy dollars current money which to him he owes and unjustly detains and so forth. Hereof fail not at your peril and have you then and there this writ Witness the Honourable Jeremiah Townley Chase Esquire chief Judge of the said Court the twentieth day of September in the year of our Lord one thousand eight hundred and nineteen.

Wm S Green clk

Issued the eighth day of April 1820 (Harwood)

And the said James Ratry by his attorney aforesaid on the day of prosecuting and suing forth the said writ declared in the Court here against the said William P Hardesty in the plea aforesaid as follows to wit:

Anne Arundel County to wit William P Hardesty late of anne arundel County yeoman was summoned to answer unto James Ratry in a plea that he render unto him the sum of seventy dollars currentmoney which to him he owes and unjustly detains and so forth and whereupon the said James Ratry by Edward Harwood his attorney says that whereas the said William P Hardesty on the second day of January in the year one thousand eight hundred and nineteen at the County aforesaid by his certain bill obligatory did promise to pay to the said James Ratry on the fifteenth day of May in the year eighteen hundred and nineteen by the name of James Ratry or order the sum of seventy dollars currentmoney for value received. Nevertheless the said William P Hardesty although often thereunto required to wit on the fifteenth day of May in the year eighteen hundred and nineteen and often afterwards at the County aforesaid the aforesaid sum of seventy dollars current money to the said James Ratry hath not rendered or paid but the same sum of seventy dollars current money to the said James Ratry hitherto to render or pay he hath altogether refused and still doth refuse Wherefore the said James Ratry says he is the worse and hath damage to the value of three hundred dollars currentmoney and therefore he brings suit and so forth and brings here into Court the bill obligatory aforesaid sealed with the seal of the aforesaid William P Hardesty which the debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

Edwd Harwood for the plaintiff Pledges &c John Doe & Richard Roe

May 15th 1819 I promise to pay to James Ratry or order the sum of seventy dollars current money for value received as witness my hand and seal this second day of January 1819.

Wm P Hardesty (Seal)

Copies of which said declaration and oyer were made and sent to the sheriff of the County aforesaid with the said writ thereon endorsed To be served on the defendant with the writ or left at his place of abode

At which said third monday of April being the seventeenth day of the said month in the year of our Lord one thousand eight hundred and twenty