to support their issue on their part joined, gave in evidence by the clerk of Saint Marys County, that the Docket containing the Judgment of John Forbes and Thomas Marshall vs Thomas Greenfield, and that all the original papers and proceedings in the said case were burnt in the Court House of the said County the Plaintiff then offered in evidence the following record of the Judgment on record.

Saint Marys County To wit

At a County Court of the State of Maryland for the first Judicial District begun and held at Leonard Town in and for the County aforesaid on the first Monday of August being the seventh day of the said month in the year of our Lord one thousand Eight hundred and nine and of the Independence of the United States the thirty fourth.

Were present

The Honorable Edmund Key and Daniel Clarke Associate Judges.

John McWilliams Esqr. Sheriff. Jo Harris Clerk

In the record of proceedings of the said Court amongst others were the following To wit.

Thomas Marshall and John Forbes Trustees of Elizabeth Bond against Thomas Greenfield	Be it remembered that heretofore To wit on the eighteenth day of July in the year of our Lord one thousand eight hundred and nine the said Thomas Marshall and John Forbes by Philip Briscoe their attorney prosecuted and sued forth out of the County Court here the writ of the State of Maryland of

Capias adrespondendum directed to the Sheriff of Saint Marys County in the words following to wit

Saint Marys County Sc. The State of Maryland to the Sheriff of Saint Marys County Greeting: You are hereby commanded to take Thomas Greenfield late of Saint Marys 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 for the County aforesaid at Leonard Town in said County, on the first Monday in August next to answer unto Thomas Marshall and John Forbes Trustees of of Elizabeth Forbes, now Elizabeth Bond in a plea that he render unto them the sum of one hundred and seventy eight pounds fourteen shillings and nine pence current money which he owes to and unjustly detains from them and so forth. Mind of fail not at your peril, and have you then and there this writ. Witness the Honorable Stephen Carr Esqr. Chief Judge of the first Judicial District the 14th day of March in the year of our Lord one thousand eight hundred and nine

Issued the 15th day of July 1809. P B Jo Harris Clerk.

And the said Thomas Marshall and John Forbes by their Attorney aforesaid on the day of prosecuting and suing forth the said writ declared in the Court here against the said Thomas Greenfield in the plea aforesaid as follows to wit

Saint Marys County Sc. Thomas Greenfield late of Saint Marys County yeoman was summoned to answer unto Thomas Marshall and John Forbes Trustees of Elizabeth Forbes, now Elizabeth Bond in a plea that he render unto them the sum of one hundred and seventy eight pounds fourteen shillings and nine pence current money which he owes to and unjustly detains from them and so forth And whereupon the said Thomas and John by Philip Briscoe their attorney say that whereas the said Thomas Greenfield on the twenty first day of December in the year of our Lord One Thousand Eight hundred and seven, at Saint Marys County aforesaid by his certain bill obligatory did thereby bind and oblige himself his heirs executors and administrators firmly by these presents to pay or cause to

be paid paid unto Thomas Marshall of Marshall Hall and John Forbes both of Charles County in the State of Maryland Trustees appointed by Elizabeth Forbes now Elizabeth Bond to collect and receive all debts due and owing to the said Elizabeth Forbes now Elizabeth Bond, or the Survivor of them, or the Executors administrators or assigns of such survivor the full and just sum of One hundred and seventy eight pounds fourteen shillings and nine pence current money of Maryland with legal interest thereon from the date of these presents it being for value received. Nevertheless the said Thomas Greenfield the said sum of One hundred and seventy eight pounds fourteen shillings and nine pence current money, or any part thereof, to the said Thomas and John hath not contented or paid, although so to do. The said Thomas Greenfield was afterwards to wit on the first day of February in the year Eighteen hundred and eight, and afterwards at the County aforesaid by the said Thomas and John required but the same or any part thereof to them the said Thomas and John to render or pay, he hath altogether refused and the said Thomas Greenfield still doth refuse, whereupon the said Thomas and John say they are the worse and have damage to the value of three hundred and fifty pounds current money and therefore they bring suit and so forth, and the said Thomas and John bring here into Court the bill of obligation aforesaid, sealed with the seal of him the said Thomas Greenfield which testifies the debt aforesaid in form aforesaid the date whereof is the day and year first aforesaid and so forth

Philip Briscoe Attorney for Plaintiffs John Doe 5
Pledges &c Richard Roe

Copy of the bill Obligatory aforesaid

I bind myself my heirs executors and administrators firmly by these presents to pay or cause to be paid unto Thomas Marshall of Marshall Hall and John Forbes both of Charles County in the State of Maryland Trustees appointed by Elizabeth Forbes now Elizabeth Bond to collect and receive all debts due and owing to the said Elizabeth Forbes now Elizabeth Bond or the Survivor of them or the executors administrators or assigns of such survivor the full and just sum of one hundred and seventy eight pounds fourteen shillings and nine pence current money of Maryland with legal interest thereon from the date of these presents, it being for value received. Witness my hand and seal this twenty first day of December in the year of our Lord One Thousand eight hundred and seven

Thomas Greenfield (Seal)

Witness William Wheatly

Copies of which said declaration and single bill 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 ten days at least before the return of the said writ for plea or Judgment the first Court".

And now here at this day to wit, the first Monday of August being the seventh day of the said month in the year of our Lord one thousand eight hundred and nine, and the day of the return of the aforegoing writ, comes into the County Court here the said Thomas Marshall and John Forbes by their Attorney aforesaid and the Sheriff of the County aforesaid To wit. John McWilliams Gentleman to whom the said foregoing writ, was in form aforesaid directed makes return thereof to the Court here thus endorsed To wit Copi in time John McWilliams Shff

And the said Thomas Greenfield being called, appears in Court here in his own proper person and saith that he cannot deny the action aforesaid of the said Thomas Marshall and John Forbes so as aforesaid against him brought, nor but that he owes to the aforesaid Thomas Marshall, and John Forbes the aforesaid sum of one hundred and seventy eight pounds fourteen shillings and nine pence current money in such manner and form as the