June Term 1839.

Present The Hon'ble. John Stephen Esquire Chief Judge
Edmund Key and
Clement Dorsey } Esquires associate Judges.
George H. Morgan, Esq. Shff.
Jo. Harris, Clk.

In the record of proceedings of the said Court amongst others were the following to wit:

Benedict Gough use of
Johns Hopkins and Brothers.
vs.
Stephen H. Gough.

Be it remembered that heretofore to wit on the seventeenth day of February in the year of our Lord one thousand eight hundred and thirty five the said Benedict Gough by Luke E. Barber his attorney prosecuted and sued forth out of Saint Marys County Court here the writ of the State of Maryland of capias ad respondendum directed to the Sheriff of Saint Marys County in the words following to wit:

Saint Mary's County to wit - The State of Maryland to the Sheriff of Saint Mary's County greeting: you are hereby commanded to take Stephen H. Gough late of Saint Mary's 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 Leonard Town in and for Saint Mary's County aforesaid on the first Monday of March next, to answer unto Benedict Gough in a plea that he the said Stephen H. render unto him the said Benedict the sum of four hundred and twenty eight dollars and thirty two cents current money which he owes to and unjustly detains from him and so forth. Hereof fail not at your peril and have you then and there this writ, Witness the Honorable John Stephen Esquire Chief Judge of the first Judicial District the 23d. day of December 1834. - Issued the 17th. day of February 1835 - (L. E. B.) Jo. Harris, clk

And the said Benedict Gough by his attorney aforesaid on the day of prosecuting and suing forth the said writ declared in the Court here against the said Stephen H. Gough in the plea aforesaid as follows to wit:

Saint Mary's County to wit: Stephen H. Gough late of Saint Mary's County yeoman was summoned to answer unto Benedict Gough in a plea that he the said Stephen H. render unto him the said Benedict the sum of four hundred and twenty eight dollars and thirty two cents current money which he owes to and unjustly detains from him and so forth - and thereupon the said Benedict by Luke E. Barber his attorney says that whereas the said Stephen H. on the tenth day of June in the year of our Lord one thousand eight hundred and thirty four at the County aforesaid by his certain bill obligatory did for value received promise to pay to the said Benedict by the name of Benedict Gough his heirs or assigns the full and just sum of four hundred and twenty eight dollars and thirty two cents with interest from date til paid, nevertheless the said Stephen H. although often thereunto required the said sum of four hundred and twenty eight dollars and thirty two cents current money or any part thereof to the said Benedict hath not rendered or paid but the same sum of four hundred and twenty eight dollars and thirty two cents current money to him the said Benedict hitherto to render or pay he hath altogether refused and still doth refuse wherefore the said Benedict saith he is the worse and hath damage to the value of eight hundred dollars current money and therefore the said

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Benedict brings suit and so forth; and the said Benedict brings here into Court the bill obligatory aforesaid sealed with the seal of the said Stephen H. which testifies the debt aforesaid in form aforesaid the date whereof is the day and year aforesaid and so forth.

Jno. Doe and
Rich.d Roe.

Lu. E. Barber pltffs. atty. pledges &c.

Over of the bill obligatory aforesaid.

$428.32 Leonard Town June 10th. 1834.

For value received I promise to pay to Benedict Gough his heirs or assigns the full and just sum of four hundred twenty eight dollars and thirty two cents with interest from date till paid as witness my hand and seal.

S. H. Gough (Seal)

On the back of the above note was thus endorsed Benedict Gough.

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 Court. At which mentioned first Monday of March being the second day of the said month in the year of our Lord one thousand eight hundred and thirty five and the day of the return of the foregoing writ comes into the County Court here the said Benedict Gough by Luke E. Barber his attorney aforesaid and the sheriff of Saint Mary's County aforesaid to wit George H. Morgan gentleman to whom the said foregoing writ was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit.

"Non Est" George H. Morgan, Shff.

And the said Stephen H. Gough does not come - thereupon the said Benedict Gough by his attorney aforesaid prosecuted and sued forth out of the County Court here an alias writ of capias ad respondendum to the Sheriff of Saint Mary's County aforesaid directed in the words and of the tenor following to wit.

Saint Mary's County to wit: The State of Maryland to the sheriff of Saint Mary's County greeting you are hereby commanded to take Stephen H. Gough 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 at Leonard Town in and for Saint Mary's County aforesaid on the first Monday of August next to answer unto Benedict Gough in a plea that he the said Stephen H. render unto him the said Benedict the sum of four hundred and twenty eight dollars and thirty two cents current money which he owes to and unjustly detains from him and so forth. Hereof fail not at your peril and have you then and there this writ, witness the Honorable John Stephen Esquire Chief Judge of the first Judicial District the 14th. day of March 1835. (L. E. B.) Jo. Harris, Clk.

Copies of which said declaration and single bill were again made and sent to the sheriff of the County aforesaid with the said alias writ thereon endorsed to be served on the defendant with the writ or left at his place of above ten days at least before the return of the said writ for plea or Judgment the first Court. At which mentioned first Monday of August being the third day of the said month in the year of our Lord one thousand eight hundred and thirty five and the day of the return of