next they acknowledge themselves content therewith this sixth day of October seventeen hundred and eighty seven

Cam.l Stansbury
Acknowledged before Benjamin Rogers.

I Micajah Merryman impower authorise and appoint Samuel Chace to appear for me in the above action Given under my hand and seal this sixth day of October 1787.

Witness Thomas Rossiter — Micajah Merryman (seal)

And the said Micajah Merryman by Samuel Chase his attorney defends the force and injury when and so forth and prays leave to imparl 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 thirteenth day of May Anno Domini one seventeen hundred and eighty eight comes again as well the said Daniel Dulany administrator aforesaid by his Attorney aforesaid as the said Micajah Merryman by his Attorney aforesaid &c.

And the said Micajah Merryman by his said Attorney as before defends the force and injury when and so forth And saith that the aforesaid Daniel Dulany administrator as aforesaid his action aforesaid against him the said Micajah Merryman to have ought not because he says that he the aforesaid Micajah Merryman before the day of the impetration of the original writ in this cause to wit on the first day of September in the year seventeen hundred and eighty seven paid unto the aforesaid Daniel Dulany administrator as aforesaid the aforesaid sums of money with legal interest for the same in the respective conditions mentioned according to the form and effect of the said Conditions to wit at in Baltimore County aforesaid and this he is ready to verify whereupon he prays Judgment if the aforesaid Daniel Dulany administrator as aforesaid his action aforesaid to have or maintain ought and so forth

Samuel Chase pro Def.t

And the said Daniel Dulany administrator as aforesaid saith that he by anything by the said Micajah Merryman in his plea alledged from having his action aforesaid ought not to be precluded because he saith that the aforesaid Micajah Merryman did not pay to him the said Daniel Dulany administrator as aforesaid the aforesaid sums of money with legal interest for the same in the respective Conditions mentioned on the aforesaid first day of September in the year aforesaid which the aforesaid Micajah Merryman to him the said Daniel Dulany administrator as aforesaid ought to have paid according to the form and effect of the said Condition as the aforesaid Micajah Merryman above hath alledged and this he prays may be enquired of by the Country And the aforesaid Micajah Merryman in like manner and so forth

Whereupon this cause standing for trial Command is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court here on the second Tuesday of October next twelve &c. by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the said parties then and there &c.

At which said second Tuesday of October being the fourteenth day of the same month Anno Domini seventeen hundred and eighty eight comes again as well the said,

said Daniel Dulany administrator as aforesaid by his Attorney aforesaid as the said Micajah Merryman by his Attorney aforesaid

Nevertheless the aforesaid Micajah Merryman by his Attorney aforesaid relinquishing the Averment above by him pretended says that he cannot deny the action aforesaid of the aforesaid Daniel Dulany administrator as aforesaid sues aforesaid against him brought nor but that he owes to the aforesaid Daniel Dulany administrator as aforesaid the aforesaid sum of two hundred and ninety nine pounds one shilling and eight pence Current money of Maryland in manner and form aforesaid sues the aforesaid Daniel Dulany administrator as aforesaid above against him hath declared

Therefore it is considered by the Judges here that the said Daniel Dulany administrator as aforesaid recover against the said Micajah Merryman owes well the sum of two hundred and ninety nine pounds one shilling and eight pence Current money of Maryland his debt aforesaid in form aforesaid confessed as also the sum of eight hundred and twenty one pounds and two fifths of a pound of Tobacco by the Court here unto the said Daniel Dulany administrator as aforesaid on his assent adjudged as well for his damages sustained by reason of the detention of that debt as for his Costs and charges by him about his suit in this behalf laid out and expended and the said Defendant in Mercy &c.

Memorandum The Plaintiff releases the penalty on payment of the principal Interest and Costs of suit He also agrees to stay Execution until the first day of March payments if any to be allowed. Subject to the opinion of the Court whether the Plaintiff is entitled to recover Interest during the late War between Great Britain and America

Test John Gwinnett

Archibald Campbell
against
William Goodwin,
Thomas Russell and
Hugh M.c Bride

Be it Remembered that heretofore to wit on the second day of July Anno Domini seventeen hundred and eighty eight the Plaintiff by Robert Smith his Attorney out of our General Court The State of Marylands writ of Capias ad Satisfaciendum directed to the Sheriff of Baltimore County in the words and figures following to wit:

The State of Maryland S.s To the Sheriff of Baltimore County, Greeting. We command you that you take William Goodwin, Thos. Russell & Hugh M.c Bride late of Baltimore County Merchants otherwise called William Goodwin, Thomas Russell and Hugh M.c Bride of Baltimore Town in the State of Maryland if they shall be found in your bailiwick, and them safe keep, so that you have their bodies before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of October next, to satisfy unto Archibald Campbell, as well the sum of seventeen hundred and eighty seven pounds eighteen shillings and four pence Current money a certain debt recovered against them before the Judges aforesaid on the second Tuesday of May last; as also the sum of six hundred and fifty six pounds and three fifths of a pound of Tobacco costs whereof the aforesaid William Goodwin, Thomas Russell and Hugh M.c Bride