verify, Wherefore he prays Judgment if the aforesaid Ellen Gist her action aforesaid against him to have or maintain ought and soforth —

And the aforesaid Ellen Gist by her attorney aforesaid saith that she by any thing by the said John Elder above in pleading alleged, from having or maintaining her action aforesaid, against him ought not to be precluded, because she saith that the said John Elder hath not paid unto her the aforesaid Ellen Gist the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said John Elder above by pleading hath alleged, and this she prays may be enquired of by the Country, and the said John Elder in like manner and soforth — Therefore let a Jury thereon appear before the Court here, on the second Tuesday of October next, by whom and so forth, and who neither and soforth, to recognize and soforth, because as well and soforth, the same day is given to the said parties then and there and soforth —

And Now, at this day, to wit, the said second Tuesday of October being the fourteenth day of the same Month, in the year of our Lord One thousand seven hundred and eighty eight, come again into the General Court here, as well the aforesaid Ellen Gist by her attorney aforesaid, as the said John Elder by his attornies aforesaid; And the said John Elder by his attornies aforesaid, relinquishing the argument aforesaid, above by him pretended says, that he cannot deny the action aforesaid of the aforesaid Ellen Gist, so as aforesaid against him brought nor but that he owes to the said Ellen Gist the aforesaid sum of One hundred pounds Specie Lawful Money in manner and form aforesaid, so as the aforesaid Ellen Gist above against him hath declared —

Therefore it is considered by the Court here, that the aforesaid Ellen Gist recover against the said John Elder as well the sum of One hundred pounds Specie Lawful Money her Debt aforesaid in form aforesaid confessed, as the Quantity of Nine hundred and forty two pounds of Tobacco by the Court here unto the aforesaid Ellen Gist on her absent adjudged for her damages which she hath sustained as well by reason of the detention of that debt, as for her costs and charges by her about her suit in this behalf laid out and expended — and the said John Elder in Mercy soforth —

Memorandum, Judgment rendered in this cause on the twenty seventh day of October One thousand seven hundred and eighty eight, for the Penalty and Costs of Suit, And the Plaintiff agrees to release the Penalty upon the payment of Principal, Interest and Costs — And agrees to stay Execution until the tenth day of February next; Payments if any to be allowed —

Test. John Gwinn Clerk Gen Court

James Calhoun against John Elder

Be it remembered, that heretofore, to wit, on the second day of August, in the year of our Lord One thousand seven hundred and eighty seven, the said John Elder by David McMechen his attorney, sued out of the General Court here, the State of Maryland's writ of Habeas Corpus directed to the Justices and Sheriff of Baltimore County, in the words and figures following, to wit —

The State of Maryland Sc. To the Justices and Sheriff of Baltimore County Greeting. Whereas John Elder is detained in the prison of our said County, under the custody of you our said Sheriff, at the suit of a certain James Calhoun, in a plea of Debt, as it is said, and we being willing for divers causes that the plea aforesaid which said plea still remains before you our said Justices undetermined, undetermined as aforesaid should be heard and determined before the Judges of our General Court — Do therefore command you that you have the Body of the said John Elder by whatsoever named 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 Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next, that our said Judges being rightly informed of the truth of the premises may further proceed therein as to Justice aforetains and soforth — and have you then and there this writ — witness Robert Hanson Harrison Esquire Chief Judge of our said Court this 25th day of May Anno Dominii 1787 —

Issued 2nd August 1787 — (D. McMechen) Thos. B. Hodgkin Clerk.

And Now here, at this day, to wit, the said second Tuesday of October being the Ninth day of the same Month, in the year of our Lord, One thousand seven hundred and eighty seven, and the day of the return of the aforegoing writ the Justices and Sheriff of Baltimore County to whom the same writ was made and directed in pursuance thereof, transmitted to the Court here, the following Record, to wit —

Baltimore County, to wit: At a County Court of the State of Maryland held at the Court House in Baltimore Town in and for the County aforesaid the Monday before the first Tuesday in August in the year of our Lord One thousand seven hundred and eighty seven

Present

John Moale	Thomas Elliott	
George G. Presbury	Thomas Todd	
Isaac Vnt Bibber	Lyde Goodwin	
Jeremiah Johnson	John E. Howard	Gentlemen Justices
Charles Ridgely of Wm.	Richard Cummings (of Saml.)	
Abraham Vnt Bibber	Edmund Stansbury	
Thomas Russell	Henry Sammot	
William Russell		

Philip Graybell Esquire Sheriff. William Gibson Clerk