Frederick Ridgely use of Samuel Veale against John Gafsaway

Be it remembered, that heretofore, to wit, on the seventeenth day of July in the year of our Lord, one thousand seven hundred and eighty eight, the said Frederick Ridgely by Henry Ridgely his attorney sued out of the General Court the writ of the State of Maryland of Capias Ad respondendum, directed to the Sheriff of Anne Arundell county in the words and figures, following, to wit —

The State of Maryland, &c. To the Sheriff of Anne Arundell county, Greeting. We Command you that you take John Gafsaway late of Anne Arundell county and State of Maryland if he shall be found in your bailiwick, and him safe keep so that you have his Body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of October next, to answer unto Frederick Ridgely of a plea that he render unto him the sum of Two hundred and Sixty three pounds twelve Shillings and Seven pence Current Money which to him owes and unjustly detains and so forth — And of fail not at your peril, and have you then and there this writ. Witness Robert Hanson Harrison, Esquire, Chief Judge of our said Court, the 12th day of June Anno Dominii 1788 —

Issued 17th day of July 1788. (H.R.) — John Gwinn Clk —

And the aforesaid Frederick Ridgely by his attorney aforesaid, on the day of the issuing of the aforesaid writ filed in Court here, the following Declaration and Oyer of Bond, a Copy whereof was made and sent with the said writ, to the Sheriff of the County aforesaid, to wit —

Western Shore, State of Maryland Anne Arundell county, to wit —

John Gafsaway late of Anne Arundell county and State of Maryland was summoned to answer unto Frederick Ridgely of a plea that he render unto him the sum of Two hundred and Sixty three pounds twelve Shillings and seven pence Current Money, which to him owes and unjustly detains and so forth —

And whereupon the said Frederick Ridgely by Henry Ridgely his attorney saith that whereas the aforesaid John on the eighth day of December in the year Seventeen hundred and eighty five at Anne Arundel County aforesaid, by his certain writing Obligatory acknowledged himself to be held and firmly bound unto the said Frederick in the aforesaid sum of Two hundred and Sixty three pounds, twelve Shillings and seven pence Current Money, to be paid to the said Frederick when afterwards he should be thereunto required. Nevertheless the aforesaid John (although often thereunto required) the aforesaid sum of Current Money, to the said Frederick hath not rendered or paid, but the same to him hitherto to render or pay he hath altogether refused, and still doth refuse, wherefore he saith he is the worse and hath damage to the value of five hundred pounds Current Money aforesaid

and therefore he brings Suit and so forth: And brings here into Court the writing obligatory aforesaid: Sealed with the seal of the aforesaid John, which the Debt aforesaid in form aforesaid, witnesseth, the Date whereof is the day and year aforesaid, and so forth —

H. Ridgely for the Plaintiff. Pledges and so forth — John Doe, Rich. Roe.

And the aforesaid John by his attorney comes and defends the force and injury, when and so forth, and praying an hearing of the writing obligatory aforesaid and the Condition thereof, and he hath them as follows, to wit. Know all Men by these presents, that I John Gafsaway of Anne Arundell county and State of Maryland am held and firmly bound unto Frederick Ridgely of Baltimore county and State aforesaid, in the full and just sum of Two hundred and sixty three pounds twelve shillings and seven pence Current Money, to be paid unto the said Frederick Ridgely his certain attorney, Executors Administrators or assigns, in the whole and for the whole firmly by these presents, sealed with my seal and dated this eighth day of December One thousand seven hundred and eighty five — The condition of the above Obligation is such, that if the above bound John Gafsaway shall well and truly pay or cause to be paid unto Frederick Ridgely his certain attorney, Executors, Administrators or assigns the full and just sum of One hundred and thirty one pounds sixteen shillings and three pence half penny Current money on or before the first day of February next ensuing with legal Interest from the fourteenth Day of March Seventeen hundred and eighty five, then the above Obligation to be void else to remain in full force and virtue in Law —

Signed, Sealed and Delivered in presence of
John Brewer Senr.
Samuel Ridgely

John Gafsaway (seal)

At which mentioned 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, and the day of the return of the foregoing writ, comes into the General Court here, the aforesaid Frederick Ridgely by Henry Ridgely his attorney aforesaid, and the Sheriff of Anne Arundell county aforesaid, to wit, David Stewart Gentleman to whom the said foregoing writ was in form aforesaid directed makes return thereof, to the Court here, thus endorsed, to wit —

D. Stewart Shff.

And the said John Gafsaway in his proper person, appears in Court here, and says that he cannot deny the action aforesaid of the aforesaid Frederick Ridgely, so as aforesaid against him brought nor but that he owes to the aforesaid Frederick Ridgely the aforesaid sum of one hundred and thirty one pounds sixteen Shillings and three pence half penny Current Money in manner and form aforesaid so as the aforesaid