aforesaid John D. Cary and George French and bearing date the day and year last aforesaid which the debt aforesaid in form aforesaid witnesseth

John Doe and
Richard Roe.

Wm H Dorsey for Pltff pledges and so forth

Oyer of the writing obligatory in the declaration aforesaid mentioned and of the condition thereof follow in these words to wit –

Know all men by these presents that we John Cary and George French of the State of Maryland am held and firmly bound unto Thomas Beall of Geo in the full and just sum of four hundred and forty three pounds current money to be paid to the said Thomas Beall of Geo his certain Attorney Executors – Administrators or assigns to the which payment well and truly to be made and done we bind ourselves our heirs Executors and Administrators and every of them firmly by these presents sealed with our seals and dated this third day of May in the year of our Lord one thousand seven hundred and eighty four –

The condition, of the above obligation is such that if the above bound John Cary and George French do and shall well and truly pay or cause to be paid unto the said Tho Beall of Geo his certain Attorney Executors Administrators or assigns the just and full sum of two hundred and twenty one pounds ten shillings current money on or before the third day of May seventeen hundred & Eighty five with legal Interest thereon then the above Obligation to be void else to remain in full force and Vertue in Law –

Signed Sealed and Delivered in the presence of, Abra.m Boyd, Arch.d Orme } John D. Cary (Seal) Geo: French (Seal)

A Copy of which aforegoing declaration and Oyer was made and sent with the writ which issued in the plea aforesaid –

And a duplicate of the same writ declaration and oyer were also made and directed to the Sheriff of Montgomery County –

And now here at this day to wit the said Second Tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and Eighty nine and the day of the return of the aforegoing writ comes into our General Court here the aforesaid Thomas Beall of George by William Hammond Dorsey his Attorney aforesaid, and the Sheriff of Frederick County to whom the same writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit –

N E. P. Mantz Shff

And the Sheriff of Montgomery County to whom a duplicate of the aforegoing writ was also made and directed likewise comes but makes no return thereof to the Court here –

And the aforesaid John D. Cary and George French by Richard Potts their Attorney come and defend the force and injury when and so forth and say that they cannot deny the action aforesaid of the aforesaid Thomas Beall of George so as aforesaid against them brought nor but that they owe to the aforesaid Thomas Beall of George the aforesaid sum of four hundred and forty three pounds current money in manner and form aforesaid so as the aforesaid Thomas Beall of George above against them hath declared –

Therefore it is considered by the Judges here that the aforesaid Thomas Beall of George recover against the said John D. Cary and George French as well the sum of four hundred and forty three pounds current money their debt aforesaid in form aforesaid confessed as also the sum of Five hundred and twenty seven pounds of Tobacco by the Court here unto the said Thomas Beall of George 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 Defendants in Mercy &c –

Memorandum, The Plaintiff agrees to release the above Judgment on payment of the Principal Interest and costs of suit and agrees to stay Execution twelve months –

Test John Gwinn Clk

Afterwards to wit, On the thirty first day of January seventeen hundred and ninety one the aforesaid John D. Cary and George French produced the State of Marylands writ of Error commanding the Judgment aforesaid to be transmitted to the State of Marylands high Court of appeals which said writ of Error follows in these words to wit –

Maryland sct. The State of Maryland, To the Honorable the Judges of the General Court greeting because in the record and process and also in the rendering of Judgment on a certain action brought by Thomas Beall against John D. Cary and George French for the sum of four hundred and forty three pounds current money to be released on payment of two hundred and twenty one pounds ten shillings current money with Interest thereon from the third day of May seventeen hundred and Eighty four and costs of suit at a General Court held before you our said Judges at Annapolis May Term seventeen hundred and Eighty nine, Manifest Error as this said has happened to the great damage of the said John D. Cary and George French as of their Complaint we have received and we being willing that the Errors if any there be should be duly corrected and full and speedy Justice done to the said John D. Cary and George French in this behalf command you that if Judgment be thereof rendered that then the Record and Process aforesaid with all things thereunto relating under your Seals distinctly and openly you send and this writ so that the same may be had