the Plaintiff by John Allen Thomas his Attorney sued out of the Court here the State of Marylands writ of Capias Ad respondendum directed to the Sheriff of Prince Georges County in the words and figures following to wit

The State of Maryland &c. To the Sheriff of Prince Georges County Greeting We command you that you take Robert Whitaker late of Prince Georges County planter otherwise called Robert Whitaker 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 May next to answer unto Benjamin Mackall of a plea that he render unto him the just and full sum of one hundred and sixty pounds sterling of the value of two hundred and sixty six pounds thirteen shillings and four pence current money which from him he unjustly detains and so forth, here 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 2d day of December Anno Domini 1786.

Issued the 13th day of April 1787. J. A. T, Sho. B. Hodgkin Clk.

And the aforesaid Benjamin Mackall by his Attorney aforesaid declared against the aforesaid Robert Whitaker in the plea aforesaid as follows to wit

Western Shore State of Maryland to wit, Robert Whitaker late of Prince Georges County Gentleman otherwise called Robert Whittaker was summoned to answer unto Benjamin Mackall of a plea that he render unto him the sum of one hundred and sixty pounds sterling of the value of two hundred and sixty six pounds thirteen shillings and four pence current money which from him he unjustly detains and so forth —

And Whereupon the said Benjamin by John Allen Thomas his Attorney says that Whereas the aforesaid Robert on the first day of July in the year seventeen hundred and seventy six at Prince Georges County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto the said Benjamin in the aforesaid sum of one hundred and sixty pounds sterling money of the value of two hundred and sixty six pounds thirteen shillings and four pence current money to be paid to the said Benjamin when afterwards he should be thereunto required, Nevertheless the aforesaid Robert (although often thereunto required) the aforesaid sum of current money to him the said Benjamin hath not rendered or paid but the same to him hitherto to render or pay he hath altogether refused and still do refuse wherefore he says he is the worse and hath damage to the value of five hundred pounds like 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 Robert which the debt aforesaid in form aforesaid Witnesseth the date whereof is the day and year aforesaid and so forth —

J. A. Thomas for the Plaintiff Pledges and so forth, John Doe & Richard Roe.

And the aforesaid by Attorney comes and defends the force and injury when and so forth and prayeth an hearing of the writing obligatory aforesaid and the condition thereof and hath them as follow to wit — Know all men by these presents that I Robert Whitaker am held and firmly bound unto Benjamin Mackall in the full and just sum of one hundred and sixty pounds sterling to be paid unto the said Benjamin Mackall his certain Attorney executors administrators or assigns, to the which



which payment well and truly to be made and done I bind myself my heirs executors and administrators firmly by these presents sealed with my seal and dated this first day of July Anno Domini one thousand seven hundred and seventy six —

The condition of the above Obligation is such that if the above bound Robert Whitaker do and shall well and truly pay or cause to be paid unto the said Benjamin Mackall his certain Attorney executors administrators or assigns the just and full sum of eighty pounds sterling at or upon the day of next ensuing the date hereof with legal Interest for the same, then the above Obligation to be void else to remain in full force and virtue in law —

Robert Whitaker (Seal)

Signed Sealed & Delivered in presence of.

A Copy of which aforegoing Declaration and Oyer was made and sent with the writ which issued in the plea aforesaid, And now here at this day to wit the said second tuesday of May being the eighth day of the same month Anno Domini seventeen hundred and eighty seven and the day of the return of the aforegoing writ comes the aforesaid Benjamin Mackall by his Attorney aforesaid and the sheriff of Prince Georges County to whom the same writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit, —

Cepi A Copy 24th April, Bail Price impowered to Gabriel Duvall Esq.

And the aforesaid Robert Whitaker being called upon appears and at the prayer of the aforesaid Benjamin Mackall by his Attorney aforesaid the said Robert Whitaker is adjudged to give special Bail to the Action aforesaid; Whereupon the said Robert Whitaker by Gabriel Duvall his Attorney files in Court here the following Bail Piece to wit

Benjamin Mackall, Plaintiff against Robert Whitaker Defendant

You William S Bowie Acknowledge yourself special Bail for the said Robert Whitaker at the suit of the said Benjamin Mackall in an Action of Debt brought by the said Benjamin Mackall against the said Robert Whitaker in the General Court, You Acknowledge yourself to be content therewith, this twenty fifth day of April in the year of our Lord one thousand seven hundred and eighty seven. Before Sam. Hepburn

G. Duvall is required to appear for the Defendant, John Smith Brookes.

To the Honourable the Judges of the General Court. —

And the said Robert Whitaker by his said Attorney defends the force and injury when and so forth and prays leave to imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the ninth day of October Anno Domini seventeen hundred and eighty seven comes again as well the said Benjamin Mackall by his Attorney aforesaid as the said Robert Whitaker by his Attorney aforesaid and the said Robert Whitaker by his Attorney aforesaid prays further leave to imparle hereunto untill 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 seventeen hundred and eighty eight comes again as well the said Benjamin Mackall by his Attorney aforesaid as the said Robert Whitaker by his Attorney aforesaid and the said Robert Whitaker by his Attorney aforesaid prays further leave to imparle 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 fourteenth

day