of Maryland a writ of Capias ad respondendum directed to the Sheriff of Ann Arundel County in the words and figures following to wit, The State of Maryland Sct. To the Sheriff of Ann Arundel County Greeting We command you that you take William Coale late of Frederick County planter and Thomas Coale late of Ann Arundel County planter otherwise called William Coale of Baltimore County and Thomas Coale of Ann Arundel in state aforesaid 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 May next to answer unto James H. Smith of a plea that they render unto him the sum of three hundred and ninety pounds sixteen shillings and eight pence sterling money of the value of six hundred and fifty one pounds seven shillings and nine pence current money which from him they unjustly detain and so forth Hereof fail not at your peril & have you then and there this writ Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 19th day of November Anno Domini 1787.

Issued the 22d day of December 1787. (W Cooke) (Thos B. Hodgkin Clk.

And the aforesaid James Haddock Smith by his Attorney aforesaid declared against the aforesaid William Coale and Thomas Coale in the plea aforesaid as follows to wit

Western Shore State of Maryland to wit William Coale late of Frederick County planter and Thomas Coale late of Ann Arundel County planter otherwise called William Coale of Baltimore County and Thomas Coale of Ann Arundel in State aforesaid were summoned to answer unto James H. Smith of a plea that they render unto him the sum of three hundred and ninety pounds sixteen shillings and eight pence sterling money of the value of six hundred and fifty one pounds seven shillings and nine pence current money which from him they unjustly detain and so forth, And whereupon the said James by William Cooke his Attorney saith that whereas the aforesaid William Coale & Thomas Coale on the twenty fourth day of December in the year of our Lord seventeen hundred and eighty five at Ann Arundel County aforesaid by their certain writing obligatory acknowledged themselves to be held and firmly bound unto the said James in the aforesaid sum of three hundred and ninety pounds sixteen shillings and eight pence sterling money to be paid to the said James when afterwards they the said William Coale and Thomas Coale should be thereunto required And the aforesaid James in fact saith that the aforesaid sum of sterling money at the time of making the writing obligatory aforesaid was and always since hath been and still is of the value of six hundred and fifty one pounds seven shillings and nine pence current money to wit at Ann Arundel County aforesaid Nevertheless the said William Coale and Thomas Coale the aforesaid sum of sterling money or the value thereof as aforesaid altho' often thereunto required to him the said James have not nor hath either of them rendered or paid but the said sum of sterling money or the value thereof as aforesaid to the said James to render or pay they have altogether refused and still do refuse wherefore the said James saith he is the worse and hath damage to the value of one thousand pounds current money and therefore he brings suit and so forth and brings here into Court the writing obligatory aforesaid sealed with the seal of the said William Coale and Thomas Coale which the Debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

Wm Cooke & pltff Pledges and so forth John Doe & Richard Roe.

Oyer

Oyer of the writing obligatory aforesaid and the condition thereof follows.

Maryland Sct. Know all Men by these presents that we William Coale of Baltimore County and Thomas Coale of Ann Arundel in State aforesaid are held and firmly bound unto James H. Smith of Prince Georges County in the full and just sum of three hundred and ninety pounds sixteen shillings and eight pence sterling money to be paid unto the said James H. Smith 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 firmly by these presents sealed with our seals and dated this twenty fourth day of December seventeen hundred and eighty five. The condition of the above obligation is such that if the above bound William Coale do and shall well and truly pay or cause to be paid unto the said James H. Smith his certain Attorney executors administrators or assigns the just and full sum of one hundred and ninety five pounds eight shillings and four pence sterling money with legal Interest for the same then the above obligation to be void else to remain in full force and virtue in law.

W. Coale (Seal)
Sealed and Delivered in presence of Thos Coale (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 aforegoing writ Declaration and oyer was made and sent to the Sheriff of Frederick County. And now here at this day to wit the said second tuesday of May being the thirteenth day of the same month Anno Domini seventeen hundred and eighty eight and the day of the return of the aforegoing writ comes the aforesaid James Haddock Smith by his Attorney aforesaid, and the Sheriff of Ann Arundel 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. William Coale, Cepi Thomas Coale, Cepi left the 30th of January 1788. De Stewart Shff

And the said Sheriff being solemnly called upon to bring into Court here the body of the said Thomas Coale according to the return of the writ aforesaid brings him not but makes default, Thereupon it is adjudged that the said Sheriff be amerced the Debt and Costs unless he has the body of the said Thomas Coale here on the second day of next Court.

And the Sheriff of Frederick County to whom a duplicate of the same writ, Declaration & oyer was directed likewise comes and makes return thereof to the Court here thus endorsed to wit

Cepi, Wm, N.E. others, Capias non est inventus left January 28th 1788. Thos Beatty Shff

And the said William Coale being called upon appears and at the prayer of the said James Haddock Smith by his said Attorney the said William Coale is adjudged to give special Bail to the Action aforesaid Whereupon the said William Coale by Richard Ridgely his Attorney files in Court here the following Bail Piece to wit

James H. Smith Plaintiff against William Coale Defendant.

You Richard Coale and Barnard McSherry do jointly and severally acknowledge yourselves special Bail for the said William Coale at the suit of the said James H. Smith in an Action of Debt brought by the said James H. Smith against the said William Coale in the General Court. They acknowledge themselves to be content therewith the 26th day of May 1788

The Honourable the Judges of the General Court, Before

To Richard Ridgely Esquire Attorney at Law. Upton Sheredine.

And the said William Coale by Richard Ridgely his said Attorney comes and defends the force and injury when and so forth, And prays leave to imparle hereunto until next Court