And the aforesaid Richard Harwood Junr. by his Attorney aforesaid declared against the aforesaid John Merriken senr. Administrator as aforesaid in the plea aforesaid as follows to wit

Maryland Ann Arundel County Sct. John Merriken senior late of Ann Arundel County planter Administrator of all and singular the Goods Chattels rights and Credits which were of Joseph Merriken late of same County deceased otherwise called Joseph Merriken of Ann Arundel County in the State of Maryland who died intestate as it is said was summoned to Answer unto Richard Harwood Junior in a plea that he render unto him the sum of two thousand five hundred pounds current money of Maryland which from him he unjustly detains and so forth —

And whereupon the said Richard by Jeremiah Townly Chase his Attorney saith that whereas the aforesaid Joseph in his life time to wit on the sixteenth day of August in the year seventeen hundred and eighty three at Ann Arundel County aforesaid by his certain writing obligatory acknowledged himself to be held & firmly bound unto him the said Richard in the aforesaid sum of two thousand five hundred pounds current money of Maryland to be paid to him the said Richard when afterwards he the said Joseph should be thereunto required. Nevertheless the aforesaid Joseph in his life time & the aforesaid John since the death of him the said Joseph (to which said John Administrator of all and singular the Goods Chattels rights and Credits which were of the aforesaid Joseph at the time of his decease was after the death of him the said Joseph in due form of law committed) altho' often thereunto required the aforesaid sum of two thousand five hundred pounds current money of Maryland or any part thereof to him the said Richard hath not rendered or paid but the same to him the said Richard to render or pay they have altogether refused and the said John still doth refuse and unjustly detain, Wherefore the said Richard saith he is the worse and hath damage to the value of three thousand five hundred pounds current money of Maryland & therefore he brings suit and so forth and brings here into Court the writing obligatory aforesaid sealed with the seal of him the said Joseph whose date is the day & year aforesaid which the debt aforesaid in form aforesaid Witnesseth & so forth —

J. T. Chase for Plff Pledges &c. John Doe and Richard Roe.

And the aforesaid John by his Attorney comes and defends the force & injury when and so forth and prays 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 we Thomas Purdy, John Merriken senr. and Joseph Merriken all of Ann Arundel County in the State of Maryland are each of us jointly and severally holden and firmly bound unto Richard Harwood Junr. of the County and State aforesaid high Sheriff and collector of said County in the full and just sum of two thousand five hundred pounds current money to be paid to the said Richard Harwood Junr. his heirs executors administrators or assigns: To the which payment well and truly to be made and done we do each of us jointly and severally bind ourselves and each of us our heirs executors and administrators jointly and severally for the whole and in the whole firmly by these presents, sealed with our seals and dated this sixteenth day of August one thousand seven hundred and eighty three —

The

The Condition of the above obligation is such that if the above bound Thomas Purdy shall well and faithfully execute and perform the several duties required of him as deputy sheriff and deputy collector of Ann Arundel County in the State of Maryland & in all things well and faithfully execute the said offices and shall also render to the said Richard Harwood Junr. a true and faithful account of all manner of things that shall be put into his hands monthly, then the above obligation to be void else to remain in full force —

Signed sealed & Delivered in the presence of — Test: John Merriken Junr. George Packer.

Thomas Purdy (seal)
John Merriken senr. (seal)
Joseph Merriken (seal)

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 October being the ninth day of the same month anno Dominis seventeen hundred and eighty seven and the day of the return of the aforegoing writ comes the aforesaid Richard Harwood Junior 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

Cepi Copy left out of time Septr. 27th 1787. D. Stewart Shff

And the said John Merriken Administrator as aforesaid by Gabriel Duvall his Attorney comes and defends the force and injury when and so forth and prays 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 thirteenth day of may anno Dominis seventeen hundred and eighty eight comes again as well the said Richard Harwood Junior by his Attorney aforesaid as the said John Merriken Administrator as aforesaid by his Attorney aforesaid and the said John Merriken Administrator as aforesaid by his Attorney aforesaid prays further leave to imparle hereunto until next Court & he hath it and the same day is given to the Plaintiff also, At which said next Court to wit the fourteenth day of October anno Dominis seventeen hundred and eighty eight comes again as well the said Richard Harwood Junior by his Attorney aforesaid as the said John Merriken Administrator as aforesaid by his Attorney aforesaid

And the aforesaid John Merriken Administrator as aforesaid by Gabriel Duvall his Attorney aforesaid as before comes and defends the force and injury when and so forth and says that he with the writing obligatory aforesaid to be burthened ought not because he says that he the said Joseph Merriken in his life time did well & faithfully keep and perform the several covenants in the writing obligatory aforesaid above mentioned as he the said Joseph in his life time ought to have done to wit at Ann Arundel County aforesaid and this he the said John Merriken Administrator as aforesaid is ready to verify wherefore he prays Judgment if the said Richard Harwood Junior his Action aforesaid against him to have or maintain ought and so forth, And the said Richard Harwood Junior saith that he by any thing by the aforesaid John Merriken Administrator as aforesaid above alledged from having his Action aforesaid thereof against him to be precluded ought not because he saith that the aforesaid Joseph Merriken in his life time did not perform and keep to him the covenants aforesaid in the writing obligatory

aforesaid