said Isaac Levy the above said sum of three hundred and fifty pounds Sterling and all costs charges and damages that shall accrue in the said Chancery Court that they the said John Gray and Philemon Young will bear and keep the said Leonard Holliday his heirs executors and administrators harmless from all damages and costs that has or may accrue from being security on the said Bond then the above obligation to be void and of none effect else to be and remain in full force and Virtue

Signed Sealed and Delivered in the presence of us.

Which being read and heard the said George Gray by his Attorney aforesaid as before 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 als.

At which said next Court to wit the fourteenth day of October Anno Domini seventeen hundred and eighty eight comes again as well the said Leonard Holliday by his Attorney aforesaid as the said George Gray by his Attorney aforesaid

And the aforesaid George Gray by his Attorney as before defends the force and injury when and so forth and saith that he with the writing obligatory aforesaid to be burthened ought not because he says that the said John Gray did well and faithfully keep and perform the several Covenants in the writing obligatory aforesaid mentioned as he ought to have done to wit at Calvert County aforesaid and this he is ready to verify Wherefore he prays Judgment if the said Leonard Holliday his Action aforesaid against him to have or maintain ought &c so forth

And the said Leonard Holliday saith that he by anything by the aforesaid George Gray above alledged from having his Action aforesaid thereof against him to be precluded ought not because he saith that the aforesaid John Gray did not perform and keep with him the Covenants and agreement aforesaid in the writing obligatory aforesaid above mentioned as he ought to have done, And this he prays may be enquired of by the Country, and the said George Gray in like manner and so forth

Whereupon this cause standing ready for trial Command is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court hereon the second tuesday of May next twelve &c by whom &c and who neither &c to recognize &c because as well &c the same day is given to the said parties then there

At which said second tuesday of May being the twelfth day of the same month anno Domini seventeen hundred and eighty nine comes again as well the said Leonard Holliday by his Attorney aforesaid as the said George Gray by his Attorney aforesaid.

Nevertheless the said George Gray by his Attorney aforesaid relinquishing the averment above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Leonard Holliday so as aforesaid against him brought, nor but that he owes to the aforesaid Leonard Holliday the said sum of eleven hundred and sixty six pounds thirteen shillings and four pence current money in such manner and form as the aforesaid Leonard Holliday above against him hath declared.

Therefore it is considered by the Judges here that the said Leonard Holliday recover against the said George Gray heir at Law of John Gray as well the sum of eleven hundred and sixty six pounds thirteen shillings and four pence current money his debt aforesaid in form aforesaid confessed as also the sum of six hundred and

and forty six pounds and three fifths of a pound of Tobacco by the Court here unto the said Leonard Holliday 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 Defendant in mercy &c.

Memorandum, The Plaintiff releases the above Judgment on payment of the sum of five hundred pounds current money and costs of suit with interest thereon from the fifteenth day of June seventeen hundred and eighty nine, and agrees to stay Execution until the first day of August next.

26½ Ed. Test John Gwinn Clk.

Horatio Gates and Uxor administratrix de bonis non of Bartholomew Booth.
against
Walter Smith.

Be it remembered that heretofore to wit, on the eighth day of March Anno Domini seventeen hundred and eighty eight the Plaintiffs by Zebulon Hollingsworth their Attorney sued out of our General Court here the State of Maryland's Writ of Capias Ad respondendum directed to the Sheriff of Montgomery County in the words & figures following to wit

The State of Maryland SS. To the Sheriff of Montgomery County Greeting, We command you that you take Walter Smith late of said County Gentleman otherwise called Walter Smith of the 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 May next to answer Horatio Gates and Mary his wife administratrix with the Testament and last will annexed of all and singular the goods and chattels rights and credits which were of Bartholomew Booth deceased at the time of his death by William Booth and Robert Booth deceased Administrators of all and singular the rights and credits, goods and chattels which were of the said Bartholomew deceased at the time of his said death with the said Bartholomew's Testament and last will annexed unadministered of a plea that he render unto them the said Horatio and Mary one thousand and eight pounds eight shillings and five pence current money of Maryland which the said Walter unjustly detaineth from the said Horatio and Mary and so forth. hereof 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 19th day of November Anno Domini 1787.

Issued the 8th day of March 1788. Z. Hollingsworth, Tho. B. Hodgkin Clk.

And the aforesaid Horatio Gates and Mary his wife Administratrix aforesaid by Zebulon Hollingsworth their Attorney aforesaid declared against the aforesaid Walter Smith in the plea aforesaid as follows to wit

Western Shore of the State of Maryland, Montgomery County SS. Walter Smith late of said County Gentleman otherwise called Walter Smith of the State of Maryland was summoned to answer Horatio Gates and Mary his wife Administratrix with the Testament and last will annexed of all and singular the goods and chattels rights and credits which were of Bartholomew Booth deceased at the time of his death by William Booth and Robert Booth deceased late Administrators of all and singular the rights and credits goods and chattels which were of the said Bartholomew deceased at the time of his said death with the said Bartholomew's Testament and last will annexed unadministered

of