because they say that the aforesaid Walter Smith did not pay unto the said Bartholomew Booth in his life time the said sum of money in the condition aforesaid mentioned with the interest thereon in such manner and form as the said John Murdock above by pleading hath alledged, and of this they pray may be enquired of by the Country. — And the aforesaid John Murdock in like manner &c.

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 here on 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 and there &c.

At which said second tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and eighty nine come again as well the said Horatio Gates and Mary his wife Administratrix aforesaid by their Attorney aforesaid as the said John Murdock by his Attorney aforesaid.

Nevertheless the aforesaid John Murdock by his Attorney aforesaid relinquishing the Averment above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Horatio Gates and Mary his wife Administratrix as aforesaid so as aforesaid against him brought now but that he owes unto the said Horatio Gates and Mary his wife Administratrix aforesaid the aforesaid sum of one thousand and eight pounds eight shillings and five pence current money in such manner and form as the aforesaid Horatio Gates and Mary his wife Administratrix aforesaid above against him have declared.

Therefore it is considered by the Judges here that the said Horatio Gates and Mary his wife Administratrix aforesaid recover against the said John Murdock as well the sum of one thousand and eight pounds eight shillings and five pence current money their debt aforesaid in manner and form aforesaid confessed as also the sum of six hundred and fifty six pounds and one fifth of a pound of Tobacco by the Court here unto the said Horatio Gates and Mary his wife Administratrix aforesaid on their agreement adjudged as well for their damages sustained by occasion of the detention of that debt as for their costs and charges by them about their suit in this behalf laid out and expended, and the said Defendant in Mercy &c.

Memorandum, The Plaintiffs release the penalty on payment of the Principal, Interest and Costs of suit and agree to stay execution until the first day of August next, Payments if any to be allowed.

Test John Gwinn Clk.

25 p. Ed.

Daniel Dulany against Edward Stevenson

Be it remembered that heretofore to wit on the thirteenth day of March Anno Domini seventeen hundred and eighty eight, the Plaintiff by William Cooke his Attorney sued out of our General Court here the State of Maryland's writ of Capias Ad respondendum directed to the sheriff of Frederick County in the words and figures following to wit

The State of Maryland &c. To the sheriff of Frederick County Greeting We command you that you take Edward Stevenson late of Frederick County Farmer otherwise called Edward Stevenson of Frederick County if he shall be found in your Bailiwick

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 Daniel Dulany of a plea that he render unto the said Daniel the sum of five hundred and sixty eight pounds sixteen shillings sterling money of the value of nine hundred and forty eight pounds current money which from the said Daniel 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 19th day of November Anno Domini 1787.

Issued the 13th day of March 1788. W Cooke. Thos. B. Hodgkin Clk.

And the said Daniel Dulany by William Cooke his Attorney declared against the said Edward Stevenson in the plea aforesaid as follows to wit.

Western Shore State of Maryland } Frederick County, to wit Edward Stevenson late of Frederick County Farmer otherwise called Edward Stevenson of Frederick County was summoned to Answer unto Daniel Dulany of a plea that he render unto the said Daniel the sum of five hundred and sixty eight pounds sixteen shillings sterling money of the value of nine hundred and forty eight pounds current money which from the said Daniel he unjustly detains and so forth, And whereupon the said Daniel by William Cooke his Attorney saith that whereas the said Edward on the thirtieth day of May in the year of our Lord one thousand seven hundred and eighty five at Frederick County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto the said Daniel in the aforesaid sum of five hundred and sixty eight pounds sixteen shillings sterling to be paid to the said Daniel when afterwards he the said Edward should be thereunto required, and the said Daniel in fact saith that the said sum of five hundred and sixty eight pounds sixteen shillings sterling at the time of making the said writing obligatory was and always since hath been and still is of the value of nine hundred and forty eight pounds current money (court at the County aforesaid) Nevertheless the said Edward although often thereunto required the aforesaid sum of sterling money or the value thereof as aforesaid to him the said Daniel hath not rendered or paid but the said sum of sterling money or the value thereof as aforesaid to the said Daniel to render or pay he the said Edward hath hitherto altogether refused and still doth refuse wherefore the said Daniel 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 Edward which the debt aforesaid in form aforesaid witnesseth the date whereof is the day & year aforesaid and so forth.

W. Cooke for Plff. Pledges &c. { John Doe and Richard Roe

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

Know all Men by these presents that we Edward Stevenson and David Crawford of Frederick County are held and firmly bound unto Daniel Dulany of Baltimore Town Executor of the late Ann Tasker deceased in the sum of five hundred and sixty eight pounds sixteen shillings sterling. To the payment whereof to the said Daniel Dulany his executors & administrators we and each of us jointly & severally bind ourselves our heirs executors and administrators firmly by these presents. sealed with our seals and dated the thirtieth day of May in the year 1785.

The condition of the above obligation is such, that if the above bound Edward Stevenson

and