upon the case and soforth. And whereupon the said Howard by Richard Ridgely his Attorney complains that whereas the aforesaid Gist on the first day of January seventeen hundred and eighty six at Baltimore County aforesaid was indebted unto him the said Howard in the sum of three hundred and two pounds two shillings and five pence half penny current money for the like sum of current money by him the said Gist before that time for him the said Howard at the County aforesaid received and being so thereof indebted the aforesaid Gist afterwards towit, on the day and year aforesaid at the County aforesaid in consideration thereof upon himself assumed and to the said Howard then and there faithfully promised that he the said Gist the aforesaid sum of current money to him the said Howard when afterwards he should be thereunto required would well and truely content and pay, And whereas also afterwards towit on the same day and year last aforesaid at the County aforesaid the said Gist was indebted to the said Howard in one other sum of three Hundred and two pounds two shillings and five pence half penny current money for sundry Matters properly chargeable in Account as by a particular account thereof herewith into Court brought may appear and being so thereof indebted the aforesaid Gist afterwards towit on the second day of January in the year last aforesaid at the County aforesaid in consideration thereof upon himself assumed, and the said Howard then and there faithfully promised that the said Gist the last aforesaid sum of current money to the said Howard when afterwards he should be thereunto requested, would well and truely content and pay, Nevertheless the aforesaid Gist his several promises and assumptions so as aforesaid made not regarding but minding the said Howard in this behalf to deceive altho' often thereto requested hath not contented or paid the said several sums of current money or any part of either of them to the said Howard but the same or any part thereof to the said Howard still to content or pay the said Gist hath altogether refused and still doth refuse to the damage of the said Howard in the sum of five hundred pounds current money aforesaid and therefore he brings suit and soforth.

R. Ridgely Ap. Plaintiff — Pledges &c. { John Doe and Richard Roe.

Which said Account in the Declaration above mentioned is contained in the words and figures following Viz.

Mr. John Elder Gist. To John Eager Howard Dr.

1786. April 6th. To Balance due this day as per settlement and your recpt.	£ 468 .. 4 .. 6.
Contra Cr.	
By the amount of your Acct. since settlement	166 .. 2 .. 0½
Balance due	302 .. 2 .. 5½
	£ 468 .. 4 .. 6.

Baltimore County set. On the 20th day of February 1787. came before me the subscriber one of the Justices of the peace for the County aforesaid, John Eager Howard and made oath that the within Account is just and true as it stands stated and that he never received any part or parcel thereof or satisfaction or security for the same more than Credit given to the best of his knowledge, George Gordon Presbury.

At which said monday before the first tuesday in March in the year of our lord one thousand seven hundred and eighty seven, cometh the said John Eager Howard by Richard

Richard Ridgely his Attorney, and now here also cometh the sheriff of Baltimore County to whom the aforesaid writ was directed towit Philip Graybell Gentleman who maketh a return thereof to the Court now here thus endorsed, Cepi, copy left 26th Feby Philip Graybell Shff

And now here also cometh the said John Elder Gist by Luther Martin his Attorney, and a certain Joseph Gist now here also cometh into Court in his proper person and undertakes and becomes pledge and Bail for the said John Elder Gist that if it shall happen that the said John Elder Gist at the suit of the said John Eager Howard in the plea aforesaid shall be convicted then the said Joseph Gist doth grant that as well the debt aforesaid as all such damages cost and charges which to the said John Eager Howard in this part shall be adjudged of his lands and chattels shall be made to and for the use of the said John Eager Howard to be levied if it shall happen that the said John Elder Gist the debt damages cost and charges aforesaid to the said John Eager Howard shall not pay or his body to the prison and custody of the sheriff of Baltimore County aforesaid on that occasion render. —

And the said John Elder Gist by his said Attorney defends the force and injury when and soforth and prays leave to imparle here until the monday before the first tuesday in august next, and he hath it and the same day is given to the said John Eager Howard and that

And now here at this day towit, the said monday before the first tuesday in August in the year of our lord one thousand seven hundred and eighty seven cometh the parties aforesaid by their Attorneys aforesaid, and the said John Elder Gist by his said Attorney produces to the Court now here the State of Maryland a writ of Habeas Corpus closed in the words and figures following Viz.

The State of Maryland Sc. To the Justices and Sheriff of Baltimore County Greeting Whereas John Elder Gist is detained in the prison of our said County under the custody of you our said Sheriff at the suit of a certain John Eager Howard in a plea of trespass upon the case and soforth, which said plea still remains before you our said Justices undetermined as it is said and we being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the Judges of our General Court do therefore command you that you have the body of the said John Elder Gist by whatsoever names he be called in the plea aforesaid, together with the day and cause of his caption and detainer and all things thereunto relating before the Judges of our General Court to be held at the City of Annapolis on the second tuesday of October next that our said Judges being rightly informed of the truth of the premises may further proceed therein as to Justice appertaine and soforth, and have you then and there this writ, Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 25th day of May Anno Domini 1787. Issued the 30th day of July 1787. (J. Martin) Thos. B. Hodgkin Clk.

Whereupon the proceedings aforesaid are ordered to be transmitted accordingly

In Testimony whereof I have hereunto set my hand and seal of Office this fifteenth day of September seventeen hundred and eighty seven. —

(Seal of Baltimore county court) William Gibson Clk. B. Coty.

At which said second tuesday of October, being the ninth day of the same month Anno Domini seventeen hundred and eighty seven, comes here into our General Court as well the said John Eager Howard by Henry Ridgely his Attorney as the said John Elder Gist by Luther Martin his Attorney, And the said John Elder Gist by his Attorney aforesaid

defends