thereto afterwards he should be required, Nevertheless the aforesaid James (altho often required) the aforesaid sum of money or any part thereof to the said Catharine yet hath not paid but the same to her to pay altogether hitherto hath refused and still doth refuse to the damage of the said Catharine three hundred pounds current money of Maryland and thereupon she brings suit and so forth.

Pledges of Pros. { John Doe and Richard Roe.

Robert Smith for Plff.

And the said James Demmitt by his Attorney aforesaid prays an hearing of the writing Obligatory aforesaid and the Condition thereof and he hath them in the words following to wit

Know all Men by these presents that I James Demmitt of Baltimore County am held and firmly bound unto Catharine Rogers in the full & just sum of one hundred £ pounds specie to her the said Catharine Rogers her certain Attorney executors administrators & assigns firmly ~~and~~ jointly by these presents sealed with my seal and dated this 7th day of January seventeen hundred and eighty three.

Now the Condition of the above Obligation is such that if the above bounden James Demmitt doth pay or cause to be paid to the said Catharine Rogers her certain Attorney executors Administrators or assigns the full and just sum of fifty pounds specie with legal interest thereon till paid then the above Obligation to be void or else to remain in full force & Virtue in Law.

Signed sealed & Delivered in presence of Jas. Gittings — James his mark Demmitt (Seal)

And the said James Demmitt by his Attorney aforesaid defends the force and injury when and so forth, and prays leave of the Court 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 second tuesday of October being the fourteenth day of the same month Anno Domini seventeen hundred and eighty eight, comes again here into our General Court as well the said Catharine Rogers by her Attorney aforesaid as the said James Demmitt by his Attorney aforesaid, And the said James Demmitt by his Attorney aforesaid as before defends the force and injury when and so forth, and saith that the said Catharine Rogers her Action aforesaid thereof against him to have or maintain ought not &c. because he saith, that he the said James Demmitt did pay unto the said Catharine Rogers the said sum of Money in the condition of the writing obligatory mentioned with legal interest thereon according to the form and effect of the said condition of the writing obligatory, and this he is ready to verify, wherefore he prays Judgment if the said Catharine Rogers her Action aforesaid against him to have or maintain ought &c.

And the said Catharine Rogers saith that she by any thing by the said James Demmitt above in pleading alledged from having or maintaining her Action aforesaid against him ought not to be precluded because she saith that the said James Demmitt hath not paid unto her the said Catharine Rogers the said sum of Money in the condition aforesaid mentioned with the interest thereon in such manner and form, as the said James Demmitt above in pleading alledged, and of this he prays may be inquired of by the Country and the said James Demmitt in like manner and so forth.

Therefore let a Jury thereon appear before the Judges of our General Court here on the second tuesday of May next, 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.

And

And now here at this day to wit, the said second tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and eighty nine, comes again here into our General Court as well the said Catharine Rogers by her Attorney aforesaid as the said James Demmitt by his Attorney aforesaid,

Nevertheless the said James Demmitt by his Attorney aforesaid relinquishing the averment above by him pretended saith that he cannot deny the Action aforesaid of the said Catharine Rogers so as aforesaid against him brought, nor but that he owes to the said Catharine Rogers the sum of one hundred pounds current money in manner and form aforesaid so as the said Catharine Rogers above against him hath declared.

Therefore it is considered by the Judges here that the said Catharine Rogers recover against the said James Demmitt as well the sum of one hundred pounds current money her debt aforesaid in form aforesaid confessed as also the Quantity of eight hundred and fifty nine pounds and four fifths of a pound of Tobacco by the Court here unto the said Catharine Rogers on her assent adjudged as well for her damages sustained by reason of the detention of that debt as for her costs and charges by her about her suit in this behalf laid out and expended, and the said Defendant in mercy &c.

Memorandum, Judgment was rendered in this cause on the twenty seventh day of May Anno Domini seventeen hundred and eighty nine, for penalty and costs, To be released on payment of principal interest and costs. And the Plaintiff agrees to stay execution until the first day of August next. payments if any to be allowed

Test. John Gwinn Clk.

Joshua Byron against **Stephen Steward**

Be it remembered that heretofore to wit on the twenty second day of December Anno Domini seventeen hundred and eighty seven The Defendant by David McMechen his Attorney sued out of our General Court here the State of Maryland writ of Habeas Corpus directed to the Justices and Sheriff of Baltimore County in the words & figures following to wit

The State of Maryland Sc. To the Justices and Sheriff of Baltimore County Greeting Whereas a certain Stephen Steward Junior is detained in the prison of our said County under the custody of you our said Sheriff at the suit of certain Joshua Byron in a plea of trespass on the case and so forth, 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 Stephen Steward Junior by whatsoever name 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 May next that our said Judges being rightly informed of the truth of the premises may further proceed therein as to Justice appertains and so forth, and have you then and there this writ Witness Robert Hanson Harrison Esquire chief Judge aforesaid Court the 19th day of December Anno Domini 1787.

Thos. B. Hodgkin Clk

Issued the 22d. day of December 1787. (D McMechen

At which said second tuesday of May to wit, the thirteenth day of the same month Anno Domini seventeen hundred and eighty eight, and the day of the return of the aforegoing writ the Justices and Sheriff of Baltimore County to whom the same writ was made

and