George Lindenberger
a
Francis Curtis.

Be it remembered that heretofore on the twenty seventh day of February in the year of our Lord one thousand seven hundred and eighty seven the State of Marylands writ of Scire facias issued to the Sheriff of Baltimore County in the words & figures following Viz.

State of Maryland To the Sheriff of Baltimore County Greeting Whereas George Lindenberger lately in our County Court held for Baltimore County aforesaid at the Court House in the same County on the Monday before the first tuesday in November in the year of our Lord one thousand seven hundred and eighty five by and before Andrew Buchanan Gentleman and his associates then Justices of the same Court by the Judgment of the same Court did recover against Francis Curtis as well seventy eight pounds and six pence current money as three hundred and ninety eight pounds of Tobacco for his damages which he sustained by reason of the non performance of a certain promise and assumption by the said Francis to the said George lately made as for his costs and charges by him about his suit in that part laid out & expended whereof the said Francis Curtis is convict as by the Record and process thereof in our said County Court before our Justices at the Court House in the County aforesaid remaining manifestly appears and now on the part of the said George Lindenberger in our said Court we have understood that although Judgment thereon hath been rendered yet Execution of that Judgment for the damages costs and charges aforesaid still remains to be made to him as from the suggestion of the said George Lindenberger in our said Court we have understood wherefore the said George Lindenberger hath besought us to grant him his proper remedy in this part and we being willing that what is just in this part should be done command you that by good and lawful men of your bailiwick you make known unto the aforesaid Francis Curtis that he be and appear before our Justices at our County Court to be held for Baltimore County aforesaid at the Court House in the same County on the Monday before the first tuesday in March next to shew if any thing for himself he hath or can say why the said George Lindenberger execution against him of the debt damages costs and charges aforesaid to have ought not according to the force form and effect of the Recovery aforesaid if to him it shall seem meet and further to do and receive all and singular such things as our said Court of and concerning him then & there shall consider in this part and have you then there the names of those by whom you shall make the same known unto him and this Writ Witness, John Moale Gentleman presiding Justice of our said County Court the 24th day of February in the year of our Lord 1787.

Issued the 27th day of February 1787. (Rd, Wm. Gibson Clk.

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 George Lindenberger by Robert Smith his Attorney, And now here also cometh the Sheriff of Baltimore County to whom the aforesaid writ of Scire facias was directed & saith Philip Graybell Gentleman who maketh return thereof to the Court now here thus endorsed,

Made known march the 2d. before John Smith & John Doe. Philip Graybell Shff.

And the said Francis Curtis now here also cometh by Luther Martin his Attorney and defends the force and injury when and so forth, 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 George Lindenberger also &c so forth.

At

At which said Monday before the first tuesday in August cometh again the parties aforesaid by their Attorneys aforesaid and the said Francis Curtis by his said Attorney prays further leave to imparle here until the Monday before the first tuesday in November next and he hath it and the same day is given to the said George Lindenberger and so forth.

And now here at this day to wit the said Monday before the first tuesday in November in the year of our Lord one thousand seven hundred and eighty seven cometh again the parties aforesaid by their Attorneys aforesaid, and the said Francis Curtis by his said Attorney produces to the Court now here the State of Marylands writ of Certiorari closed in the words & figures following Viz.

The State of Maryland &c. To the Justices and Clerk of Baltimore County Greeting we being willing for certain causes to be certified of the Record and Proceedings of a certain action before you depending between George Lindenberger Plaintiff and Francis Curtis — Defendant in a plea of Scire facias and so forth, command you that the Record and proceedings in the Action aforesaid with all things thereunto relating as fully as before you it remains by whatsoever names the parties in the same are distinguished to our ~~Judges of our~~ General Court to be held at the City of Annapolis the second tuesday of May next under your hands and seals ye send together with this writ that our said Judges may further do therein that which of right they see ought to be done and have you then and there this writ Witness Robert Harrison Esquire Chief Judge of our said Court the 9th day of October Anno Domini 1787.

Thos. B. Hodgkin Clk.

Issued the 2d. day of November 1787. (A Martin)

Whereupon the proceedings aforesaid are ordered to be transmitted accordingly

In Testimony whereof I have hereto set my hand and seal of Office this 5th day of March in the year of our Lord one thousand seven hundred and eighty eight.

(seal)

William Gibson Clk. Balt. County

At which said second tuesday of May to wit, the thirteenth day of the same month Anno Domini seventeen hundred and eighty eight. comes here into our General Court as well the said George Lindenberger by Robert Smith his Attorney as the said Francis Curtis by Luther Martin his Attorney, And the said Francis Curtis 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 George Lindenberger by his Attorney aforesaid as the said Francis Curtis by his Attorney aforesaid, And the said Francis Curtis by his Attorney aforesaid as before defends the force and injury when and so forth, and saith that the said George Lindenberger execution against him the said Francis Curtis of the debt, damages costs and charges to have ought not because he saith that after the time of rendering the Judgment aforesaid and before the day of the impetration and suing out the said writ of Scire facias — to wit the day of in the year of our Lord one thousand seven hundred and he the said Francis Curtis paid to the said George Lindenberger the sum of money and Tobacco mentioned in the writ of Scire facias aforesaid in full satisfaction & discharge of the said Judgment which the said George Lindenberger then accepted in full satisfaction and discharge of the same Judgment, and this he is ready to Verify, wherefore

he