aforesaid or any part thereof as to the said one hundred and twenty pounds now have yet paid the said one hundred and twenty pounds, but have hitherto altogether refused and still do refuse wherefore he the said Felix saith he is the worse and hath — damage to the value of three hundred pounds like money aforesaid and therefore he brings suit.

David McMechen Atty. for Pltff — Pledges andsoforth { John Doe and Richard Roe.

And the said David Stewart and David Plunkett by their attorney aforesaid, defends the force and injury when and soforth, and say that they did not assume upon themselves in such manner and form as the said Felix De Micklazewicz above against them hath declared, and of this they put themselves upon the Country, And the said Felix De Micklazewicz in like manner andsoforth.

Therefore let a Jury thereon come before the Judges of the Court here on the second tuesday of May next, by whom and soforth, and who neither and soforth, to recognize and soforth because as well and soforth, the same day is given to the said Parties then and there soforth.

And now here on this day court, the said second tuesday of May being the twelfth day of the same month Anno Domini one thousand seven hundred and eighty nine, come again here into our General Court, as well the said Felix De Micklazewicz by his attorney aforesaid, as the said David Stewart and David Plunkett by their attorney aforesaid. — And the said David Stewart and David Plunkett by their attorney aforesaid pray that the said Felix De Micklazewicz may be adjudged to give security for costs in case he shall happen to be nonsuited in the plea aforesaid, thereupon a certain David McMechen of Baltimore county gentleman present here in Court in his proper person, and becomes security for the payment thereof. — And the sheriff of Ann Arundel county court Benjamin Howard Esquire to whom the aforegoing precept was made and directed makes return thereof, that he has here ready twelve good and lawful men, as by the said precept he was commanded court, James Howard, Josias Carter, Richard Forrest, Thomas Gardiner, John Smith Magruder, Howe Somerville, John Barnett Onion, James Mackall Dollar, James McCubbin, Sutton Isaac Meems, John Craig and Joseph Doll, who being duly elected tried and sworn to say the truth in the premises upon their oath do say, that the within written David Stewart and David Plunkett did assume upon themselves in manner and form as the said Felix De Micklazewicz within against them complains, and they assess the damages of him the said Felix De Micklazewicz by reason of the nonperformance of the promises and assumptions within mentioned to the sum of one hundred and fifty pounds and eighteen shillings currentmoney of Maryland. —

Therefore it is considered by the Judges of the Court here that the said Felix De Micklazewicz do recover against the said David Stewart and David Plunkett as well the sum of one hundred and fifty pounds eighteen shillings currentmoney his damages aforesaid in form aforesaid assessed as also the sum of nine hundred and ninety four pounds of tobacco by the Court here unto the said Felix De Micklazewicz on his assent adjudged for his costs and charges by him about his suit in this behalf laid out and expended, And the said David Stewart, and David Plunkett in mercy andsoforth. —

Memorandum



Memorandum, The Parties aforesaid by their attornies aforesaid file in Court here the following agreement to wit.

Whereas the said Plaintiff drew an order on a certain Thomas Burland late Brokers of the Insurance office in Baltimore for the sum of in favor of a certain Philip Yeiser of the same place upon which said order the said Yeiser recovered a verdict in Baltimore county court against the said Burland for £130: currentmoney and costs of suit, And whereas the said Burland did agree with the said Yeiser that in case he did not prosecute the verdict aforesaid further that he would deliver Policies of Insurance which was lodged with him to collect of said Plaintiff for the payment of said order to the said Yeiser to sue recover and pay the said order and other expences and costs, And whereas the said Yeiser in the name of the Plaintiff Micklazewicz having received from said Burland policies against Messrs Samuel and Robert Purviances, Stewart & Plunkett and William Smith aforesaid, did commence suits in the General Court for the Western shore, and has recovered Judgment against each of the said gentlemen on the said Policies of Insurance, the said David McMechen on behalf of the said Philip Yeiser doth agree upon the terms aforesaid, that upon the said Defendants paying to him the full amount of the verdict & cost recovered against the said Burland and interest upon the same till payment and all cost in the suit against the said Purviances and the cost of these two suits, that he will not on account of said Yeiser proceed further upon said Judgment, Nevertheless not holding himself bound or making any agreement for on behalf of said Micklazewicz for any other or further part of said Judgments than will pay and satisfy the said Yeiser as aforesaid

D. McMechen, R. Smith —

Memorandum. The Plaintiff acknowledges to have received satisfaction to the amount of eighty four pounds fifteen shillings and one penny currentmoney, the second day of September seventeen hundred and eighty nine.

Test. John Irwinn Clk.

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Elizabeth Dorsey against Samuel S. Coale.

Be it remembered that heretofore to wit on the eighteenth day of March Anno Domini one thousand seven hundred and eighty eight, Elizabeth Dorsey by Richard Potts her attorney sued out of our General Court here the State of Marylands writ of Capias ad respondendum directed to the sheriff of Baltimore county in the words and figures following to wit —

The State of Maryland Set To the sheriff of Baltimore county Greeting, We command you that you take Samuel Stringer Coale late of Baltimore county gentleman otherwise called Samuel Stringer Coale, 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 unto Elizabeth Dorsey in a plea, that he render unto her the sum of six hundred and eight pounds fifteen shillings which to her he owes and from her unjustly detains andsoforth. Witness fail not at your peril