Richard Footman
Benjamin Gibbs &
William Sitgreaves.
against.
James Sterett
Deborah Sterett &
Samuel Sterett Exors of
John Sterett.

Be it remembered, that heretofore to wit, on the seventeenth day of April Anno Domini one thousand seven hundred and eighty eight, Richard Footman, Benjamin Gibbs and William Sitgreaves by Archibald Robinson their attorney sued out of our General Court, the State of Maryland a writ of Capias ad respondendum, directed to the sheriff of Baltimore county in the words and figures following to wit.

The State of Maryland Sc. To the sheriff of Baltimore county Greeting. We command you that you take James Sterett late of Baltimore county gentleman Deborah Sterett late of Baltimore county spinster and Samuel Sterett late of Baltimore county merchant executors of the last will and testament of John Sterett late of Baltimore county merchant deceased, otherwise lately called John Sterett of the town of Baltimore merchant if they shall be found in your bailiwick, and them safe keep, so that you have their bodies before the Judges of our General Court, to be held at the city of Annapolis on the second tuesday in May next, to answer unto Richard Footman, Benjamin Gibbs and William Sitgreaves of a plea that they render to them the sum of nine hundred and thirty eight pounds six shillings and eight pence current money of Maryland, which they unjustly detain and so forth. Here of fail not at your peril, and have you then and there this writ. Witness Richard Hanson Harrison Esquire, chief Judge of our said Court the 19th day of November Anno Domini 1787.

Issued the 17th day of April 1788. (A Robinson) Thos. B. Hodgkin Clk

And the said Richard Footman, Benjamin Gibbs and William Sitgreaves by their attorney aforesaid, declare against the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid in the plea aforesaid as follows to wit

Western Shore of Maryland, Baltimore county to wit. James Sterett late of Baltimore county gentleman, Deborah Sterett late of Baltimore county spinster, and Samuel Sterett late of Baltimore county merchant executors of the last will and testament of John Sterett late of Baltimore county merchant deceased; otherwise lately called John Sterett of the town of Baltimore merchant were summoned to answer unto Richard Footman, Benjamin Gibbs and William Sitgreaves of a plea that they render unto them the sum of nine hundred and thirty eight pounds six shillings and eight pence current money of Maryland which they unjustly detain and so forth, And whereupon the said Richard Footman, Benjamin Gibbs and William Sitgreaves by Archibald Robinson their attorney say that whereas the aforesaid John Sterett in his life time to wit, the ninth day of May in the year of our Lord one thousand seven hundred and eighty six, at Baltimore county aforesaid by his writing obligatory acknowledged himself to be bound to the said Richard Footman, Benjamin Gibbs and William Sitgreaves in the sum of five hundred and sixty three pounds sterling money of Great Britain to be paid, to the said Richard Footman, Benjamin Gibbs and William Sitgreaves when he the said John Sterett should be afterwards thereto required, And the said Richard Footman, Benjamin Gibbs and William Sitgreaves in fact say, that the sum of five hundred and sixty three

three pounds sterling money of Great Britain in the aforesaid writing obligatory mentioned at the time of executing the said writing obligatory and for a long time before were and ever since have continued to be and now are of the value of the aforesaid sum of nine hundred and thirty eight pounds six shillings and eight pence current money of Maryland, whereof the said John Sterett in his life time, and the said James Sterett, Deborah Sterett and Samuel Sterett since the death of the said John Sterett afterwards to wit, at Baltimore county aforesaid had notice, Nevertheless the said John Sterett in his life time, nor the the said James Sterett, Deborah Sterett and Samuel Sterett or either or any of them since the decease of the said John Sterett (altho' often required have not yet paid, nor hath any of them paid the said five hundred and sixty three pounds sterling money of Great Britain or any part thereof or of the value thereof to the said Richard Footman, Benjamin Gibbs and William Sitgreaves or to any of them, but the said John Sterett in his life time entirely refused to pay the same to the said Richard Footman, Benjamin Gibbs and William Sitgreaves or to either or any of them, And the said James Sterett, Deborah Sterett and Samuel Sterett since the decease of the said John Sterett entirely refuse and each of them still doth refuse to pay the same or any part thereof or of the value thereof to the said Richard Footman, Benjamin Gibbs and William Sitgreaves or to any of them, and unjustly detain and so forth, Wherefore the said Richard Footman, Benjamin Gibbs and William Sitgreaves say they are injured and have damage to the value of one thousand pounds current money of Maryland and thereupon they bring suit and so forth, and the said Richard Footman, Benjamin Gibbs and William Sitgreaves bring here into Court the aforesaid writing obligatory, sealed with the seal of the aforesaid John Sterett, which testifieth the debt aforesaid in form aforesaid whose date is the same day and year aforesaid and so forth.

Archibald Robinson atty. for Pltffs. Pledges to prosecute { John Doe and Richard Roe.

Oyer of the writing obligatory in the Declaration aforesaid mentioned, and the Condition thereof follow, to wit

Know all Men by these presents, that I John Sterett of the town of Baltimore merchant am held and firmly bound unto Richard Footman, Benjamin Gibbs and William Sitgreaves executors to Mark Freeman late of the house of Leathly and Freeman of Leeds in Great Britain in the full and just sum of five hundred and sixty three pounds sterling money of Great Britain to be paid to the said Richard Footman, Benjamin Gibbs and William Sitgreaves or to their certain attorney executors administrators or assigns to which payment well and truly to be made and done I bind myself my heirs executors and administrators firmly by these presents sealed with my seal dated the ninth day of May in the year of our Lord one thousand seven hundred and eighty six, The Condition of the above obligation is such that if the above bound John Sterett his heirs executors administrators or any of them shall and do well and truly pay or cause to be paid unto the above mentioned, Richard Footman, Benjamin Gibbs and William Sitgreaves or to their certain attorney executors administrators or assigns the full and just sum of two hundred and eighty one pounds ten shillings sterling money of Great Britain with lawful interest from the date hereof on or before the ninth day of May seventeen hundred and eighty seven without any fraud or delay, then this obligation to be void and of none effect or else to remain in force and virtue in law.

John Sterett (Seal)

Sealed & delivered in presence of John Waite, John Magrah.