Anno Domini one thousand seven hundred and eighty nine, for penalty and costs, to be released on payment of principal, interest and costs, payments if any to be allowed. And the Plaintiffs agree to stay Execution until the first day of August next.

Test. John Irvinn Clk.

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| Alexander Henderson Robert Ferguson and John Gibson. against John Hodges. | Debt. Judgment for same Debt and Costs, Mutatis Mutandis as against Joseph Hodges folio 347. Test. John Irvinn Clk. |
| Ephraim Howard & Joshua Howard Ecors of James Howard. against Henry Nelson. | Be it remembered that heretofore court on the twenty fourth day of April Anno Domini one thousand seven hundred and eighty seven. — Ephraim Howard and Joshua Howard executors of James Howard by Richard Ridgely their attorney sued out of our General Court, the State of Marylands writ of Capias ad respondendum directed to the sheriff of Ann arundel county in the words and figures following court. — |

The State of Maryland Sct. To the sheriff of Ann arundel county Greeting. We command you that you take Henry Nelson late of Ann arundel county yeoman, 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 in may next, to answer unto Ephraim Howard and Joshua Howard executors of James Howard deceased of a plea that he render unto them the sum of four thousand five hundred pounds currency which from them he unjustly detains and so forth. Hereof fail not at your peril, and have you then and there this writ. Witness Robert Hanson Harrison Esquire chief Judge of our said Court the 2d day of December Anno Domini 1786. Thos B. Hodgkin Clk.

Issued the 24th day of April 1787. (A Ridgely)

At which said second tuesday in May court, the eighth day of the same month Anno Domini one thousand seven hundred and eighty seven, being the day of the return of the aforegoing writ, come into our General Court here, the said Ephraim Howard and Joshua Howard executors as aforesaid by their attorney aforesaid, and the sheriff of Ann arundel county to whom the same writ was made and directed, likewise comes and makes return thereof to the Court here thus endorsed court.

Cepi. D. Stewart Sheriff.

And the said Henry Nelson being called appears, and at the prayer of the said Ephraim Howard and Joshua Howard executors as aforesaid by their attorney aforesaid, the said Henry Nelson is adjudged to give special bail to the action aforesaid: whereupon a certain Stephen Bowe of Ann arundel county, present in Court here, in his proper person, and undertakes for the said Henry Nelson, that in case the said Ephraim Howard and Joshua Howard executors as aforesaid shall recover Judgment against the said Henry Nelson in the plea aforesaid, or that the said Henry Nelson shall be legally convict therein, that then the said Henry Nelson shall pay



pay the Condemnation of the Court thereon, or render his body to the custody of the sheriff of Ann arundel county in satisfaction thereof, or that he the said Stephen Bowe will do the same for him. And the said Henry Nelson by Luther Martin his attorney defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second tuesday in October next, and to him it is granted, and the same day is given to the said Ephraim Howard and Joshua Howard executors as aforesaid also. —

At which said second tuesday in October court, the ninth day of the same month Anno Domini one thousand seven hundred and eighty seven, come again into our General Court here, as well the said Ephraim Howard and Joshua Howard executors as aforesaid by their attorney aforesaid, as the said Henry Nelson by his attorney aforesaid. — And the said Ephraim Howard and Joshua Howard executors as aforesaid by their attorney aforesaid declare against the said Henry Nelson in the plea aforesaid as follows court —

Western Shore of Maryland Ann arundel county to wit. Henry Nelson late of Ann arundel county yeoman was summoned to answer unto Ephraim Howard and Joshua Howard executors of James Howard deceased of a plea that he render unto them the sum of four thousand five hundred pounds currency which from them he unjustly detains and so forth. — And whereupon the said Ephraim Howard and Joshua Howard by Richard Ridgely their attorney say that whereas the aforesaid Henry Nelson at Ann arundel county aforesaid, by his certain writing obligatory bearing date on the sixteenth day of August in the year seventeen hundred and eighty five, sealed with the seal of the said Henry, had acknowledged himself to be held and firmly bound unto the said Ephraim and Joshua in the sum of four thousand five hundred pounds currency in specie, by the name of Ephraim Howard of Henry and Joshua Howard executors of James Howard: to be paid to the said Ephraim and Joshua when afterwards he should be thereto required: And the said Ephraim and Joshua in fact say that the said sum of four thousand five hundred pounds currency in specie was at the time of making the said writing obligatory always hitherto hath been and still is of the value of four thousand five hundred pounds current money of Maryland: to wit at the county aforesaid of which the said Henry on the day and year aforesaid, at the county aforesaid, then, there had notice: Nevertheless the said Henry (altho often thereto required) hath not paid the said sum of money or any part thereof or the value thereof to the said Ephraim and Joshua, but the same to the said Ephraim and Joshua still to content or pay he the said Henry hath altogether refused and still doth refuse, to the damage of the said Ephraim and Joshua in the sum of five thousand pounds current money and therefore they bring suit — and so forth and bring here into Court the writing obligatory aforesaid sealed with the seal of the said Henry which the debt aforesaid, in form aforesaid testifies, the date whereof is the day and year aforesaid &c forth. —

Richard Ridgely pl Plaintiffs Pledges and so forth { John Doe and Richard Roe —

Copy of the writing obligatory in the Declaration aforesaid mentioned, and the Condition thereof follows, in these words to wit. —

Know all Men by these presents that we Henry Nelson of Ann arundel county and Richard Green of Montgomery county, both in the State of Maryland are held and firmly bound unto Ephraim Howard of Hy. and Joshua Howard executors of James Howard in the full and just sum of four thousand five hundred pounds currency in specie, to the well and true payment thereof