to remain in force and virtue in Law —

Signed Sealed and delivered } Vernon Hebb (Seal)
in the presence of
John Beane

Which being read and heard the said Vernon Hebb prays further leave to imparl here unto until next Court and he hath it and the same day is given to the plaintiff also —

At which said next Court towit the twelfth day of May Anno Domini seventeen hundred and eighty nine comes into our Court here William Cooke Esquire the Attorney of the said Edward Fenwick and suggests to the Court here the death of the said Edward Fenwick Whereupon a certain Joseph Fenwick and Ann Fenwick Executors of the last Will and Testament of the said Edward Fenwick by William Cooke their Attorney come here into Court and offer themselves against the said Vernon Hebb in the plea aforesaid —

And the said Vernon Hebb by Philip Barton Key his Attorney comes and defends the force and injury when &c and says that the said Edward his Action aforesaid to have and maintain ought not because he says that he paid to the said Edward the sum of three hundred and ninety two pounds Current Gold and Silver upon the seventeenth day of August seventeen hundred and eighty six as in the Condition aforesaid specified according to the form and effect thereof at Saint Marys County aforesaid and this he is ready to verify Wherefore prays Judgment if the said Edward his Action aforesaid against him to have and maintain ought and so forth —

And the said Joseph and Ann Executors aforesaid say that they by any thing by the said Vernon Hebb above in pleading alledged from having or maintaining the action aforesaid against him ought not to be precluded because they say that the aforesaid Vernon Hebb did not pay unto him the said Edward Fenwick the aforesaid sum of money in the Condition aforesaid mentioned on the day and year aforesaid in such manner and form as the said Vernon Hebb above by pleading had alledged and of this they pray may be enquired of by the Country and the aforesaid Vernon Hebb in like manner and so forth

Whereupon this cause stand ready for tryal Command is given to the Sheriff of Ann Arundel County that he cause to come

come before the Judges of our General Court here on the second Tuesday of October next twelve &c 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 At which said second tuesday of October being the thirteenth day of the same Month Anno Domini seventeen hundred and eighty nine comes again as well the said Joseph and Ann Executors aforesaid by their Attorney aforesaid as the said Vernon Hebb by his Attorney aforesaid —

Nevertheless the aforesaid Vernon Hebb by his Attorney aforesaid relinquishing the averment by him above pretended says that he cannot deny the Action aforesaid of the aforesaid Edward Fenwick so as aforesaid against him brought nor but that he owes to the aforesaid Edward Fenwick the aforesaid sum of Seven hundred and eighty five pounds fourteen Shillings and six pence Current Money in manner and form aforesaid so as the aforesaid Edward Fenwick above against him hath declared —

Therefore it is considered by the Judges here that the aforesaid Joseph Fenwick and Ann Fenwick Executors aforesaid recover against the said Vernon Hebb as well the sum of Seven hundred and eighty five pounds fourteen Shillings and six pence Current Money the Debt aforesaid (due the said Edward Fenwick deceased) in form aforesaid confessed As also the sum of Six hundred and twenty pounds and three fifths of a pound Tobacco by the Court heretofore the said Joseph and Ann Executors aforesaid on their assent adjudged as well for their damages sustained by reason of the detention of that Debt as for their Costs and charges by them about their suit in this behalf laid out and expended and the Defendant in mercy &c

Memorandum The plaintiffs agree to release the penalty on payment of the principal Interest and Costs of suit and agree to stay Execution to the first day of January next payments if any to be allowed —

Test Jno Gwinn Clk

James & Robert Buchanans and John Briscoe
against
Austin Milbourne Heir of Aaron Milbourne

Be it remembered that heretofore to wit On the seventh day of August Anno Domini seventeen hundred and eighty eight the Plaintiffs by William Cooke their Attorney sued out of our General Court here the State of Marylands Writ of Capias Ad respondendum directed to the Sheriff of Saint Marys County in the Words and figures following towit

The State of Maryland Sct To the Sheriff of Saint Marys County Greeting We command you that you take Austin Milbourne

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