Copies of which said declaration and Oyer were made and sent to the Sheriff of the County aforesaid, with the said writ, thereon endorsed, to be served on the defendant with the writ or left at his place of abode, twenty days at least before the return of the said writ, for plea or Judgment the first Court.

At which mentioned second Tuesday of May being the twelfth day of the same month in the year of our Lord One thousand seven hundred and eighty nine and the day of the return of the aforegoing writ comes into the General Court here the said Ezekiel Jacob by his attorney aforesaid; And the Sheriff of Washington County to wit, Daniel Stull Gentleman to whom the said aforegoing writ was in form aforesaid directed makes return thereof to the Court here thus endorsed, to wit;

Copi Copy Exd 28th Febry. Daniel Stull Shff.

And the said Gabriel Jacob by Richard Potts his attorney appears in Court here; and thereupon on motion of the said Ezekiel Jacob by his attorney aforesaid it is ruled by the Court here that the said Gabriel Jacobs give special Bail in the plea aforesaid; whereupon the said Gabriel Jacobs by his attorney aforesaid files in Court here a certain Bail piece and which being approved of by the Court here, is in form following, to wit,

John Salmon Plff.
against
Gabriel Jacobs Deft.

You James Prather & Daniel Larty do jointly & severally acknowledge yourselves special bail for the said Gabriel Jacobs at the suit of the said John Salmon in an action of Debt brought by the said John Salmon against the said Gabriel Jacobs in the General Court of the Western Shore of Maryland you acknowledge yourselves to be content therewith this 29th day of April 1789.

To the honourable the Judges of the Genl Court of the Western Shore — before — Andr. Bruce, Thos. Beale of Saml.

Richard Potts Esquire Attorney at Law for Deft.

And thereupon on motion of the said Ezekiel Jacob by his attorney aforesaid it is ruled by the Court here that the said Gabriel Jacobs answer to the declaration aforesaid of the said Ezekiel Jacob in the plea aforesaid or Judgment by the Court here will be entered against him in default thereof; and the said Gabriel Jacobs by his attorney aforesaid, defends the force and injury when and so forth and prays leave of the Court here to imparle until the second Tuesday of October next,



next and then to answer to the declaration aforesaid of the said Ezekiel Jacobs in the plea aforesaid and to him it is granted; the same day is given to the said Ezekiel Jacob also.

At which said second Tuesday of October being the thirteenth day of the same month in the year of our Lord One thousand seven hundred and eighty nine, to which said day the said Gabriel Jacob had leave to imparle and then to answer to the declaration aforesaid of the said Ezekiel Jacobs in the plea aforesaid, comes again into the General Court here as well the said Ezekiel Jacob by his attorney aforesaid as the said Gabriel Jacob by his attorney aforesaid; and the said Gabriel Jacob by his attorney aforesaid as before defends the force and injury when and so forth and prays an hearing of the writing obligatory aforesaid and also of the Condition thereof and to him they are read, which being read and heard the said Gabriel Jacob says that the aforesaid Ezekiel Jacob his action aforesaid against him to have or maintain ought not ought because he saith that he the said Gabriel Jacob did pay unto the aforesaid Ezekiel Jacob the said Sum of One hundred and thirty five pounds current money in the Condition of the said Writing Obligatory mentioned, with legal Interest thereon according to the form and effect of the Condition of the said writing obligatory and this he is ready to verify wherefore he prays Judgment if the aforesaid Ezekiel Jacob his action aforesaid against him to have or maintain ought and so forth.

And the aforesaid Ezekiel Jacob by his attorney aforesaid saith that he by any thing by the said Gabriel Wood above in pleading alleged from having or maintaining his action aforesaid against him ought not to be precluded, because he saith that the said Gabriel Jacob did not pay unto him the aforesaid Ezekiel Jacob the aforesaid Sum of One hundred and thirty five pounds Current Money in the Condition aforesaid mentioned with the Interest thereon in manner and form as the said Gabriel Jacob above by pleading hath alleged and this he prays may be enquired of by the Country and the said Gabriel Jacob in like manner and so forth. Therefore let a Jury thereupon appear before the Court here on the second Tuesday of May next by whom ought and who neither ought to recognize ought because as well ought the same day is given to the said parties then and there ought

And now at this day, to wit, the said second Tuesday of May being,