John Marsh and Samuel Proctor by their attorney aforesaid as the said John Stewart by his attorney aforesaid and the John Stewart by his attorney aforesaid as before defends the wrong and injury when and soforth and saith that he did not assume upon himself in such manner and form as the aforesaid John Marsh and Samuel Proctor above against him hath declared and of this he puts himself upon the Country, and the aforesaid John Marsh and Samuel Proctor in like manner &c.

Whereupon this Cause standing ready for Trial Command is given to the sheriff of Ann Arundel County that he Cause to 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.

And now here at this day to wit the said second tuesday of October being the twelfth day of the same month Anno Domini seventeen hundred and ninety Come again as well the said John Marsh and Samuel Proctor by their attorney aforesaid as the said John Stewart by his attorney aforesaid.

Nevertheless the said John Stewart by his attorney aforesaid relinquishing the averment above by him pretended saith that he cannot deny the action aforesaid of the aforesaid John Marsh and Samuel Proctor so as aforesaid against him brought nor but that the said John Marsh and Samuel Proctor hath sustained damage to the sum of three hundred pounds Current money by Occasion of the promise and Assumption aforesaid in manner and form as the aforesaid John Marsh and Samuel Proctor above against him have declared.

Therefore it is considered by the Judges here that the said John Marsh and Samuel Proctor recover against the said John Stewart as well the sum of three hundred pounds Current money their damages aforesaid in form aforesaid Confessed as also the sum of six hundred and seventeen pounds of Tobacco by the Court here unto them on their assent adjudged for their Costs and Charges by them about their suit in this behalf laid out and expended and the said Defendant in mercy &c.

Memorandum. The Plaintiffs agree to release the damages on payment of £121 16 3 Current money with Interest thereon from the 1st day of October 1785 and Costs of suit and agree to stay execution until the

the first day of January next.

Test Jno Gwinn Clk.

W.C. Joshua and Isaac Mayo Surv.g. Ex.tors of Joseph Mayo
against
G.D. Richard Harwood.

Be it remembered that heretofore to wit, on the second day of July Anno Domini seventeen hundred and eighty nine the Plaintiffs by William Cooke their attorney sued out of our General Court the State of Marylands writ of Capias ad respondendum directed to the sheriff of Anne Arundel County in the words and figures following to wit.

The State of Maryland Sc. To the sheriff of Anne Arundel County Greeting. We Command you that you take Richard Harwood late of Ann Arundell County Gentleman otherwise Called Richard Harwood Junior of Ann Arundel County and province aforesaid Gentleman 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 October next to answer unto Joshua and Isaac Mayo surviving Executors of the testament and last will of Joseph Mayo late of Ann Arundel County deceased of a plea that he render unto them the sum of three hundred pounds Current money which from the said Joshua and Isaac Mayo he the said Richard Unjustly detains &c.

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 26th day of June Anno Domini 1789.

Issued the 2d day of July 1789. Jno Gwinn Clk.

W.m Cooke.

And the aforesaid Joshua and Isaac Mayo surviving Executors aforesaid by their attorney aforesaid declared against the aforesaid Richard Harwood in the plea aforesaid as follows to wit.

Western shore state of Maryland Ann Arundel County to wit. Richard Harwood late of Ann Arundel County Gentleman otherwise Called Richard Harwood Junior of Ann Arundel County and province aforesaid Gentleman was summoned to answer unto Joshua and Isaac Mayo surviving executors of the testament and last will of Joseph Mayo late of Ann Arundel County

decased