Steward administrator as aforesaid also.

At which said next court to wit, the second tuesday of October being the Eleventh day of the same month anno Domini seventeen hundred and ninety one, comes here again into our general court as well the aforesaid Stephen Steward administrator as aforesaid, by his attorney aforesaid, as the aforesaid Samuel Harrison Junior by his attorney aforesaid.

And the said Samuel Harrison Junior by Gabriel Duvall his attorney aforesaid as before defends the force and injury when and soforth, and prays an hearing of the writing obligatory aforesaid, and it is read unto him in these words to wit.

Maryland Se. Know all men by these presents that I Samuel Harrison Junior of ann arundel county am held and firmly bound unto Stephen Steward in the same county in the full and Just sum of Forty Thousand poounds of crop Tobacco clear of casks to be paid unto the said Stephen Steward or to his certain attorney, Executors administrators or assigns To the 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 and dated this Eleventh day of september in the year of our Lord one Thousand seven hundred and Eighty six. He also prays an hearing of the condition of the said writing and it is read unto him in these words to wit. The condition of the above obligation is such that if the above bound Samuel Harrison Junior do and shall well and truly pay or cause to be paid unto the said Stephen Steward or to his certain attorney Executors administrators or assigns the full and Just sum of twenty Thousand pounds of crop Tobacco clear of casks with legal Interest thereon, then the above obligation to be void else to remain in full force and virtue in Law.

Which being read and heard the said Samuel saith the aforesaid Stephen his action aforesaid thereof against him to have or maintain ought not, because he saith that he the said Samuel paid to him the aforesaid Stephen the quantity of Tobacco in the condition aforesaid above specified at ann arundel county aforesaid according to the form and effect of that condition, and this he is ready to verify. wherefore he prays Judgment if the aforesaid Stephen his action aforesaid thereof against him to

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have or maintain ought and soforth.

And the said Stephen Steward administrator aforesaid saith that he by any thing by the said Samuel Harrison Junior above in pleading alledged from having or maintaining his action aforesaid against him ought not to be precluded, because he saith that the aforesaid Samuel Harrison Junior did not pay unto him the aforesaid Stephen Steward in his life time the quantity of Tobacco in the condition aforesaid at ann arundel county aforesaid according to the form and effect of that condition, in such manner and form as the said Samuel Harrison Junior, above by pleading hath alledged, and of this he prays may be enquired of by the county and the aforesaid Samuel Harrison Junior in like manner and soforth.

Therefore let a Jury thereupon appear before the Judges of our general court here on the second tuesday of may next, by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c.

And now here at this day to wit the said second tuesday of may being the Eighth day of the same month anno Domini seventeen hundred and ninety two, comes again here into our general court as well the said Stephen Steward administrator as aforesaid by his attorney aforesaid as the said Samuel Harrison Junior by his attorney aforesaid.

Nevertheless the aforesaid Samuel Harrison Junior by his attorney aforesaid relinquishing the averment above by him pretended says that he cannot deny the action aforesaid of the aforesaid Stephen Steward in his life time, so as aforesaid against him brought, nor but that he owes to the aforesaid Stephen Steward administrator as aforesaid, the aforesaid quantity of forty Thousand pounds of crop Tobacco clear of casks, in manner and form aforesaid so as the aforesaid Stephen Steward in his life time above against him hath declared.

Therefore it is considered by the Judges here that the said Stephen Steward administrator as aforesaid, recover against the said Samuel Harrison Junior as well the quantity of forty Thousand pounds of crop Tobacco clear of casks his debt aforesaid in form aforesaid confessed, as also the quantity of five hundred and Eighty four pounds of Tobacco by the Court here unto the said Stephen Steward administrator as aforesaid, on his assent adjudged as well for his damages sustained by reason of the detention of that debt as for his costs and charges by him about his suit in this behalf laid out and expended, and the said Defendant in mercy and soforth

(Memorandum