The state of Maryland Sct. To the sheriff of Saint Marys county Greeting. We command you that you take Hezekiah Barber late of St. Marys County planter otherwise called Hezekiah Barber of St. Marys county 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 May next to answer unto Philip Richard Fendall of a plea that he render unto him the full and just sum of thirteen hundred and sixty one pounds eighteen shillings and six pence current money which to him he owes and from him unjustly detains and so forth. Hereof fail not at your peril and have you then and there this writ. Witness the honourable Samuel Chase Esquire chief Judge of our said court the first day of November Anno domini 1791.

Issued the 14th day of December 1791. W. Cooke. John Gwinn Clk.

And the said Philip Richard Fendall by his attorney aforesaid declares against the said Hezekiah Barber in the plea aforesaid as follows to wit State of Maryland Saint Marys County sct. Hezekiah Barber late of St Marys County planter otherwise called Hezekiah Barber of St Marys county was summoned to answer unto Philip Richard Fendall of a plea that he render unto him the full and just sum of thirteen hundred and sixty one pounds eighteen shillings and six pence Current money which to him he owes and from unjustly detains and so forth And whereupon the said Philip Richard Fendall by William Cooke his attorney saith that whereas the aforesaid Hezekiah Barber on the first day of November in the year of our thousand seven hundred and eighty nine at the County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid Philip Richard Fendall in the aforesaid sum of thirteen hundred and sixty one pounds eighteen shillings and six pence Current money to be paid to him the said Philip Richard Fendall when afterwards he should be thereunto required the aforesaid sum of current money to him the said Philip Richard Fendall hath not rendered or paid but the same to him hitherto to render or pay hath altogether refused and still doth refuse wherefore the said Philip Richard Fendall saith he is the worse and hath damage to the value of twenty six hundred pounds Current money aforesaid and therefore he brings suit and so forth and brings here into court the writing obligatory aforesaid sealed with the seal of the aforesaid Hezekiah Baber which the debt

Debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

William Cooke for the Pltff Pledges and so forth, John Doe and Richard Roe.

And the aforesaid Hezekiah Barber by his attorney comes and defends the force and injury when and so forth and prays an hearing of the writing obligatory aforesaid and the Condition thereof and he hath them in the words following to wit.

Know all men by these presents that we Barnet White Barber and Hezekiah Barber both of Saint Marys County are held and firmly bound unto Philip R. Fendall of the state of Virginia in the full and just sum of thirteen hundred and sixty one pounds eighteen shillings and six pence currency to be paid unto the said Philip R. Fendall his certain attorney executors administrators or assigns to the which payment well and truly to be made and done we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this first day of November in the year of our Lord one thousand seven hundred and eighty nine.

The Condition of the above obligation is such that if the above bounds Barnet White Barber do and shall well and truly pay or cause to be paid unto the said Philip R. Fendall his certain attorney executors administrators or assigns the full and just sum of six hundred and eighty pounds nineteen shillings and three pence Maryland Currency on or before the first day of November 1791. with legal interest thereon then the above obligation to be void else to remain in full force and virtue in Law.

Signed sealed and delivered in the presence of } Barnet W. Barber (seal)
F. Hamersly, Hanson Briscoe } Hezekiah Barber (seal)

A Copy of which aforegoing declaration and oyer was made and sent with the writ which issued in the plea aforesaid.

At which said second tuesday of May being the eighth day of the same month Anno domini seventeen hundred and ninety two and the day of the return of the aforegoing writ comes here into General court the said Philip Richard Fendall by his attorney aforesaid and the sheriff of Saint Marys County to whom the said aforegoing writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit.

Cepi. Copy left 1st Feby. F. Hamersly Shff.

And the said Hezekiah Barber being called upon appears and at the prayer of the said Philip Richard Fendall by his attorney aforesaid the said Hezekiah Barber is adjudged to give special bail to the action aforesaid Whereupon the said Hezekiah Barber by Philip Barton Key his attorney files in Court here the following Bail piece to wit.

Philip