ten shillings mentioned in the said condition with legal interest for the same according to the form and effect of the aforesaid Condition in such manner and form as the aforesaid William Wheteroft within by his second plea in pleading hath alledged; and they do assess the sum of one hundred and sixty six pounds eight shillings and nine pence farthing current money to be due to the said Allen Duynn and Isaac McHard on the writing obligatory aforesaid.

Therefore it is considered by the Judges here that the said Allen Duynn and Isaac McHard recover against the said William Wheteroft as well the sum of Eight hundred and eighty five pounds current money their Debt aforesaid: To be released on the payment of the sum of one hundred and sixty six pounds eight shillings and nine pence farthing current money (by the Jurors aforesaid in form aforesaid assessed) with Interest thereon from the twenty ninth day of May seventeen hundred and ninety three according to the form of the act of assembly in such cases lately made and provided: as also the quantity of twelve hundred and ninety nine pounds of Tobacco by the Court here unto the said Allen Duynn and Isaac McHard on their assent adjudged as well for their damages sustained by occasion 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 said William Wheteroft in mercy &c.

Memorandum, Before the Jurors in this cause with draw from the Barr of the Court here the Defendant by his attorney aforesaid filed here in Court the following Bill of exceptions to wit.

Allen Duynn and Isaac McHard against William Wheteroft

May Term 1793.

The Defendant in this cause offered to prove a Tender of the principal and interest due on the Bond in this suit before the first day of September seventeen hundred and eighty eight, the time the said Bond was made payable, and that the said Tender was made in Bills of Credit made a legal Tender by the act of assembly passed in the year seventeen hundred and seventy seven, chapter nine but the Court were of opinion that no Evidence ought to be admitted to prove the tracts aforesaid, to which opinion the Defendant by his Counsel prayed leave to except, and that the Court would to this his Bill of Exceptions set their seals

Samuel Chase (SS)
R. Goldsborough (SS)

Thereupon the said William Wheteroft by his attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the State of Maryland's High Court of appeals, and the same is granted on giving security according to act of assembly. Whereupon the aforesaid William Wheteroft by his attorney aforesaid files in Court here the following appeal Bond, to wit.

Maryland, Anne Arundell County, to wit; Know all men by these presents

presents, that we William Wheteroft, John Randall and James Shaw all of the City of Annapolis are held and firmly bound unto Allen Duynn and Isaac McHard of Anne Arundell County, in the full sum of Eighteen hundred pounds current money to be paid to the said Allen Duynn and Isaac McHard their certain attorney Executors, administrators or assigns: To which payment to be made, we bind ourselves, our heirs, Executors and administrators, jointly and severally, by these presents sealed with our seals, and dated this thirty first day of May seventeen hundred and ninety three. Whereas the aforesaid William Wheteroft is about to appeal from a Judgment against him in the Western Shore General Court by Allen Duynn and Isaac McHard for the use of the said Allen Duynn at May Term seventeen hundred and ninety three, for the sum of Eight hundred and eighty five pounds current money and costs of suit; Now the Condition of the above obligation is such that if the above bounden William Wheteroft shall not pursue the directions of the act of assembly, "An act for regulating writs of Error, and granting appeals from and to the Courts of Common Laws within this province, at the next Court of appeals to be held at the City of Annapolis on the second Tuesday of June next, and prosecute the same appeal with effect, and also satisfy and pay to the said Allen Duynn and Isaac McHard their executors administrators or assigns in case the said Judgment shall be affirmed as well all and singular the debt, damages and costs adjudged by the Western Shore General Court, and from whose Judgment this present appeal is made, as also all costs and damages that shall be awarded by the Court of appeals, before whom this present appeal shall be tried and determined as aforesaid: then the said Bond to be and remain in full force and virtue, otherwise of no effect.

Signed, Sealed and delivered In the presence of Josias Wilson King

Wm. Wheteroft (SS)
John Randall (SS)
James Shaw (SS)

It is therefore ordered that the Record and proceedings in the premises aforesaid be transmitted to the said State of Maryland's High Court of Appeals accordingly.

Test. John Gwinn Clk.

William Molleson for the use of Thomas Contee against William Goodwin

Be it remembered that heretofore, to wit on the eighteenth day of March Anno Domini one thousand seven hundred and ninety one, the Plaintiff by William Cooke his attorney sued out of our General Court here the State of Maryland's writ of Capias adrespondendum directed to the Sheriff of Baltimore County in the words and figures following to wit.

The State of Maryland &c. To the Sheriff of Baltimore county greeting. We command you that you take William Goodwin late of Baltimore county