to be sustained by occasion of the non-performance of the promise and assumption aforesaid as also the quantity of eight hundred and thirty seven Pounds of Tobacco by the Court here unto the said Alexander Bingerman on his assent adjudged for his costs and charges by him about his suit in this behalf laid out and expended. and the said Henry Hinger in mercy and &c forth.

Memorandum. Judgment rendered in this cause on this fifteenth day of May in the year of our Lord one thousand seven hundred and ninety three, for the sum of two hundred and fifty pounds current money damages and costs of suit to be released on payment of the sum of two hundred and Thirteen pounds, eight shillings and four pence current money with Interest from the thirteenth day of November in the year of our Lord one thousand seven hundred and ninety one and costs and the Plaintiff agrees to stay execution until the first day of August next.

Test. John Gwinn Clk.

Solomon Miller and Elizabeth his wife Ex. and Henry Wirtz Exor. of Peter Ester
against
Simon Bowman and Joseph Smith

Be it remembered, that heretofore to wit, on the twenty fourth day of February in the year of our Lord one thousand seven hundred and ninety two the said Simon Bowman and Joseph Smith the Defendants in this cause, by Baker Johnson their attorney, prosecuted and sued forth out of the General Court here the writ of the State of Maryland of Habeas Corpus cum causa, to the Chief Justice and associate Justices of Washington County Court, and the Sheriff of the said County, directed in manner and form, and of the tenor following, to wit,

The State of Maryland, &c. To the Justices and Sheriff of Washington County, Greeting Whereas a certain Simon Bowman and Joseph Smith are detained in the prison of our said County, under the custody of you, our said Sheriff, at the suit of a certain Solomon Miller and Elizabeth his wife Executrix and Henry Wirtz Executor of Peter Ester of a plea of Trespass on the case and &c forth: which said plea, as it is said, still depends before you, our said Justices, undetermined. and we being willing, for divers causes, that the plea aforesaid, undetermined as aforesaid, should be heard and determined before the Judges

Judges of our General Court: Therefore we command you that you have the bodies of the said Simon Bowman and Joseph Smith by whatsoever name or names they may be called in the plea aforesaid, together with the cause of their caption, and detention, and all things thereunto relating, before the Judges of our General Court, to be held at the City of Annapolis the second Tuesday of May next, that the Judges of our said General Court may further proceed therein, as to Justice appertains and &c 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 14th day of February anno Domini 1792.

(B. I.)

Issued the 24 day of February Anno Domini 1792. Jno. Gwinn Clk.

At which said second Tuesday of May being the eighth day of the said month in the year of our Lord one thousand seven hundred and ninety two, and the return day of the foregoing writ, the Chief Justice and associate Justices of Washington County Court, and the Sheriff of the said County, in obedience to the command contained in the said writ, to wit, the said Sheriff now here hath the body of the said Simon Bowman and Joseph Smith and the said Chief Justice and associate Justices certify and transmit to the Court here, a record of the proceedings before the said County Court had, containing the cause of the caption and detention of the said Simon Bowman in the plea aforesaid, and all things thereunto relating, and which said record of proceedings is in form following,

Washington County Sc. At a County Court of the State of Maryland begun and held at Elizabeth Town in and for the County on the second Monday in April being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety two, before the Justices of the same Court duly commissioned and sworn to hold the same Court of whom were Present.

The Honorable Richard Potts and Thomas Sprigg Esquires Justices
Henry Shryock Esquire Sheriff
Elie Williams Clk.

Among the Records and Proceedings of the same Court are the following to wit.

J. T. Mason.

Solomon Miller and Elizabeth his wife Ex. and Henry Wirtz Exor. of Peter Ester Deceased.
against
Simon Bowman and Joseph Smith

B. I.

Be it remembered that heretofore, to wit, on twenty ninth day of September in the year of our Lord one thousand seven hundred and ninety

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