of said writ at Montgomery County aforesaid, which he ought to have paid according to the tenor of that bill, and this he is ready to verify. Wherefore he prays Judgment if the said Isaac his action aforesaid against him to have or maintain ought and soforth.

And the said Isaac Lansdale by his attorney aforesaid saith that he by any thing by the said Badock Magruder above in pleading alleged from having and maintaining his action aforesaid against him ought not to be precluded because he saith that the said Badock Magruder did not pay unto him the said Isaac Lansdale the aforesaid sum of money mentioned in the bill aforesaid with the interest thereon in manner and form as the said Badock Magruder above by pleading hath alleged and this he prays may be enquired of by the Country and the said Badock Magruder in like manner and soforth. Therefore let a Jury thereupon appear before the Court here on the second Tuesday of May next, by whom, and Soforth. and who neither, and soforth. to recognize, and soforth. because as well, and soforth.

And now at this day, to wit, the said second Tuesday of May being the fourteenth day of May in the year of our Lord one thousand seven hundred and ninety Three, comes again into the General Court here, as well the said Isaac Lansdale by his attorney aforesaid, as the said Badock Magruder by his attorney aforesaid: and the said Badock Magruder by his attorney aforesaid, relinquishing the averment aforesaid, above by him pretended, says, that he cannot deny the action aforesaid of the said Isaac Lansdale so as aforesaid against him brought, nor but that he owes to the aforesaid Isaac Lansdale the aforesaid sum of one hundred and fifteen Pounds twelve shillings and eleven pence current money, in such manner and form as the aforesaid Isaac Lansdale above against him hath complained, nor but that the aforesaid Isaac Lansdale hath sustained damage by reason of the detention of the debt aforesaid, to the aforesaid sum of fifty Pounds current money, in like manner and form as the aforesaid Isaac Lansdale within against him hath complained, besides his costs and charges by him about his suit in this behalf laid out and expended, and soforth. and hereupon the aforesaid Isaac Lansdale by his attorney aforesaid, prays Judgment for the debt aforesaid, so as aforesaid confessed, together with his Damages so as aforesaid acknowledged as also for his costs and charges by him about his suit in this behalf laid out and expended, to him to be

adjudged

adjudged, and soforth; Therefore it is considered by the Court here, that the said Isaac Lansdale recover against the said Badock Magruder as well the said sum of one hundred and fifteen Pounds twelve shillings and eleven pence current money, his debt aforesaid, in form aforesaid confessed, as the said sum of fifty Pounds current money, his damages aforesaid, acknowledged to be sustained by reason of the detention of the said debt, as also the quantity of eight hundred and eleven pounds of Tobacco by the Court here unto the said Isaac Lansdale on his agent, adjudged for his costs and charges by him about his suit in this behalf laid out and expended, and the aforesaid Badock Magruder in mercy, and soforth.

Memorandum. Judgment was rendered in this cause on the fifteenth day of May in the year of our Lord one thousand seven hundred and ninety Three, for one hundred and fifteen Pounds twelve shillings and eleven pence current money debt, and fifty Pounds current money damages and costs, and the plaintiff agreed to release the aforesaid Damages on payment of the interest on the debt aforesaid from the twenty ninth day of June in the year of our Lord one thousand seven hundred and ninety one, and the quantity of eight hundred and eleven pounds of Tobacco costs of suit. The Plaintiff also agreed to stay execution till the first day of August next: Payments if any to be allowed.

Test. John Gwinn Clk.

John Fries against Abraham Faw } Be it remembered, that heretofore, to wit, on the eighth day of December in the year of our Lord one thousand seven hundred and ninety one, the said John Fries by Samuel Johnson his attorney, prosecuted and sued forth out of the General Court here the writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Montgomery County, in the words following, to wit. The State of Maryland, &c. To the Sheriff of Montgomery County, Greeting. We command you that you take Abraham Faw late of Frederick County Merchant 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 John Fries in a plea that he render unto him the sum of two hundred and forty nine Pounds ten shillings and six pence current money which to him he owes and unjustly detains and soforth. Hereof fail not at your Peril, and have you then and there this writ. Witness the Honourable Samuel Chase Esquire,

Chief