matter in the same contained, are not sufficient in Law to preclude him the said Christopher Hughes from his action aforesaid thereof against him the said Jacob Small had: to which said plea in manner and form aforesaid above pleaded, he the said Christopher Hughes hath no necessity, nor is by the Law of the Land obliged in any manner to answer: and this he is ready to verify:— Wherefore for want of a Sufficient plea in this behalf, the same Christopher Hughes prays Judgment and his Damages sustained by reason of the Premises to him to be adjudged &c. And hereupon the said Christopher Hughes demandeth the aforesaid Jacob Small to join in Demurrer with him the said Christopher Hughes and hereupon a day is given by the Court to the said Jacob Small untill the second Tuesday of May next following: and the same day is given to the aforesaid Christopher Hughes also —

At which said second tuesday of May being the fourteenth day of the same month Anno Domini seventeen hundred and ninety three comes again here into our General Court aswell the aforesaid Christopher Hughes by his attorney aforesaid as the aforesaid Jacob Small by his attorney aforesaid; And the said Jacob Small says, that the plea aforesaid by him the said Jacob Small in manner and form aforesaid above pleaded and the matter in the same contained, are good and sufficient in Law to preclude him the said Christopher Hughes from his action aforesaid thereof against him the said Jacob Small had; which said plea, and the matter therein contained, the same Jacob Small is ready to verify and prove; and the Court &c. and because the said Christopher Hughes doth not take issue upon that plea, the same Jacob Small as before prays Judgment, and that the said Christopher Hughes may be precluded from his action aforesaid thereof against him the said Jacob Small had &c. — Whereupon all and singular the premises being seen heard and by the Court here more fully understood and mature deliberation being thereupon had; for that it seems to the Court here, that the plea aforesaid of the said Jacob Small in manner and form aforesaid above pleaded and the matter in the same contained, is not good and sufficient in Law to Bar or preclude the aforesaid Christopher Hughes from having and maintaining his action aforesaid thereof against the said Jacob Small had; It is therefore considered by the

the Judges here that the aforesaid Christopher Hughes recover against the said Jacob Small aswell the sum of Five hundred pounds current money for his Damages which he had sustained by reason of the breach of covenant aforesaid as also the quantity of nine hundred and ninety seven Pounds of Tobacco which were by the Court here unto him the aforesaid Christopher Hughes on his absent adjudged for his costs and charges by him about his suit in this behalf laid out and expended and the said Defendant in Mercy &c. —

Memorandum, Judgment was rendered in this cause on the twenty third day of May Anno Domini seventeen hundred and ninety three for Five hundred pounds current money Damages and Costs of suit, To be released on payment of Three hundred and thirty seven Pounds ten shillings current money with Interest thereon from the twenty fifth day of August Anno Domini seventeen hundred and ninety one and costs of suit —

Test John Gwinn, Clk.

John Hall for use of John Field against Robert Cumming

Be it remembered, that heretofore, to wit, on the twenty second day of October in the year of our Lord one thousand seven hundred and ninety the said Robert Cumming the Defendant in this cause, by Joshua Dorsey his 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 Justices of Frederick County Court and the Sheriff of Frederick County, directed, in manner and form, and of the tenor following to wit, — The State of Maryland, &c. To the Justices and Sheriff of Frederick County, Greeting. Whereas a certain Robert Cumming is detained in the prison of our said County, under the Custody of you, our said Sheriff, at the suit of a certain John Hall of a plea of Debt and Soforth; 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 of our General Court; Therefore we command you that you have the body of the said Robert Cumming by whatsoever name or names he may be called in the plea aforesaid, together with the cause of his 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