adjudged for her Costs and damages sustained by delay of Execution of the Judgment aforesaid &c. And the said Richard Edelen in mercy and so forth.

Memorandum. Frat rendered in this Cause on the fourteenth day of May Anno Domini seventeen hundred and ninety four, And the plaintiff agrees to stay Execution until the first day of August next.

Test John Gwinn, Clk.

N.B. Lm.

Wallace and Muir against Joseph Spragg.

Be it Remembered that heretofore to wit, on the Eighteenth day of March Anno Domini seventeen hundred and ninety three the Plaintiffs by William Cooke their Attorney sued out of our General Court the state of Maryland's Writ of Capias ad respondendum directed to the Sheriff of Calvert County in the words and figures following, to wit

The State of Maryland, sc, To the Sheriff of Calvert County greeting, We command you that you take Joseph Spragg late of Calvert County aforesaid planter 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 Charles Wallace and John Muir of a plea that he render unto them the said Charles and John the penal sum of Eight hundred and fifteen pounds seven shillings Current Money which to them he owes and from them unjustly detains &c 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 nineteenth day of November Anno Domini 1792,

Issued the 18th day of March 1793. (W. Cooke) John Gwinn, Clk.

And the aforesaid Charles Wallace and John Muir by William Cooke their Attorney aforesaid declared against the aforesaid Joseph Spragg in the plea aforesaid as follows, to wit.

Western Shore, State of Maryland, Calvert County, ss, Joseph Spragg late of Calvert County aforesaid planter was summoned to answer Charles Wallace and John Muir of a plea that he the said Joseph do render unto them the said Charles and John the penal sum of Eight hundred and fifteen pounds seven shillings Current Money, which to them he owes and from them unjustly detains &c And whereupon the said Charles and John by William Cooke their Attorney say that whereas the aforesaid on the twenty eighth day of July in the year of our Lord one thousand seven hundred and ninety one at the County aforesaid by his certain Bill obligatory with his seal sealed and to the Court here shewn, whose date is the day and year — acknowledged himself to be held and firmly bound unto the said Charles and John in the sum of four hundred and seven pounds thirteen shillings and six pence — Current Money to be paid to them the said Charles and John on the twenty seventh day of July then next ensuing the date thereof for the payment of which well and truly to be made he the said Joseph bound himself in the penal sum of Eight hundred and fifteen pounds seven shillings current money. And the aforesaid Charles and John in fact say, that the aforesaid Joseph to them the said — Charles and John or to either of them the aforesaid sum of Four hundred and seven pounds thirteen shillings and six pence Current Money or any part thereof hath not rendered or paid which to them according to the form and effect of the said Bill — on

the said twenty seventh day of July next after the date thereof the said Joseph ought to have paid, whereby Action hath accrued unto them the said Charles and John to demand and have of him the said Joseph the aforesaid sum of Eight hundred and fifteen pounds seven shillings Current Money, Nevertheless the aforesaid Joseph, the aforesaid sum of Eight hundred and fifteen pounds and — seven shillings to them the said Charles and John or either of them hath not rendered or paid (although so to do he was afterwards, to wit, on the first day of August in the year seventeen hundred and ninety two and often afterwards at the County aforesaid by the said Charles and John requested) but the same or any part thereof to them the said Charles and John or either of them to render or pay hath altogether refused and still doth refuse; wherefore the said Charles and John say they are injured and have damage to the value of Two thousand pounds current money and therefore they bring suit &c.

W. Cooke ff. Pltfs, Pledges &c. John Doe and Richard Roe,

Oyer of the Bill obligatory aforesaid as in the following words, viz.

I hereby promise to pay to Charles Wallace and John Muir, or their Order or assigns at or upon the twenty seventh day of July next, the sum of (Four hundred and seven pounds thirteen shillings and six pence Current Money of Maryland with legal Interest for the same for value received, (to which payment I bind myself, my heirs, Executors and Administrators, in the penal sum of Eight hundred and fifteen pounds seven shillings Maryland Money; Witness my hand and seal, this twenty seventh day of July seventeen hundred and ninety one,

Jos. Spragg (Seal)

Sealed & delivered in presence of John Bruce Junr.

A Copy of which aforegoing Declaration and Oyer was made and sent with the Writ which issued in the plea aforesaid

At which mentioned second Tuesday of May being the fourteenth day of the same Month Anno Domini seventeen hundred and ninety three and the day of the return of the aforegoing Writ come here into our General Court the aforesaid Charles Wallace and John Muir by William Cooke their Attorney aforesaid; And the Sheriff of Calvert County to whom the said aforegoing Writ was made and directed likewise comes and makes return thereof to the Court here, thus indorsed, to wit

Cepi Copy left 28th March R. Hunt, Shff

And the said Joseph Spragg by Luther Martin his attorney comes and defends the force and injury when and so forth, and prays leave of the Court to imparle hereunto untill next Court, and he hath it, and the same day is given to the plaintiffs also,

At which said next Court, to wit, the second Tuesday of October being the eighth day of the same Month Anno Domini seventeen hundred and ninety three come again here into our General Court as well the aforesaid Charles Wallace and John Muir by their Attorney aforesaid as the aforesaid Joseph Spragg by his Attorney aforesaid, And the aforesaid Joseph Spragg by his Attorney — aforesaid as before defends the force and injury when and so forth, and prays a — hearing