Duguid in this cause at the County aforesaid did not pay them the said sum of six hundred and eighty four pounds ten shillings current money of Maryland, in the Condition of the said writing obligatory mentioned, with legal interest due thereon according to the form and effect of the said Condition in such manner and form as the aforesaid Benjamin Oden above by pleading hath alledged and of this they pray may be enquired of by the Country, and the aforesaid Benjamin Oden in like manner &c. Therefore let a Jury thereupon appear before the Judges of our General Court here on the second Tuesday of October next, by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c.

And now here at this day, to wit, the said second tuesday of October being the thirteenth day of the same month Anno Domini seventeen hundred and ninety five come again here into our General Court as well the aforesaid James Somervell and William Duguid by their Attorney aforesaid as the aforesaid Benjamin Oden by his attorney aforesaid, Nevertheless the aforesaid Benjamin Oden by his Attorney aforesaid relinquishing the argument aforesaid above by him pretended says that he cannot deny the action aforesaid of the said James Somervell and Wm. Duguid so as aforesaid against him brought nor but that he owes to the aforesaid James Somervell and William Duguid the aforesaid sum of six hundred and eighty four pounds ten shillings current money of Maryland in manner and form aforesaid so as the aforesaid James Somervell and William Duguid above against him have declared. Therefore it is considered by the Judges here that the aforesaid James Somervell and William Duguid recover against the said Benjamin Oden as well the sum of six hundred and eighty four pounds ten shillings Current money of Maryland their Debt aforesaid in form aforesaid confessed as also the quantity of Eight hundred and seventeen pounds of Tobacco by the Court here unto the said James Somervell and William Duguid on their assent adjudged as well for their Damages sustained by reason 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 Benjamin Oden in Mercy &c.

Memorandum, Judgment was rendered in this Cause on the thirteenth day of October Anno Domini seventeen hundred and ninety five for Penalty and Costs of Suit, and the Plaintiffs agree to release the

the Penalty upon the payment of Principal Interest and Costs, and agree to stay Execution untill the first day of January next, payments if any to be allowed. Test John Gwinn Clk.

284 P.

Thomas Phenix against Edward Henry Calvert

Be it remembered that heretofore to wit, On the fifteenth day of August Anno Domini seventeen hundred and ninety four the Plaintiff by Edward Nicholls his Attorney sued out of our General Court the writ of the State of Maryland of Capias ad respondendum directed to the sheriff of Prince Georges County in the words and figures following to wit.

The State of Maryland, ss. To the sheriff of Prince Georges County, greeting. We command you that you take Edward Henry Calvert late of Prince Georges County Gentleman otherwise called Edward Henry Calvert of Prince Georges County in the State of Maryland, 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 October next to answer unto Thomas Phenix in a plea that he render unto him the full and just sum of Eight hundred and fifty four pounds seven shillings Current money which to him he owes and from him unjustly detains and so 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 31st day of May Anno Domini 1794.

Issued the 15th day of August 1794. (E Nicholls) Jno Gwinn Clk.

And the aforesaid Thomas Phenix by Edward Nicholls his attorney Attorney aforesaid declared against the aforesaid Edward Henry Calvert in the plea aforesaid, in manner and form following to wit.

Prince George's County, to wit, Edward Henry Calvert late of Prince Georges County Gentleman, otherwise called Edward Henry Calvert of Prince George's County in the State of Maryland Gentleman was summoned to answer unto Thomas Phenix in a plea that he render unto him the full and just sum of eight hundred and fifty four pounds seven shillings Current money which to him he owes and from him unjustly detains and so forth; And whereupon the said Thomas by Edward Nicholls his Attorney complains, that whereas the said Edward Henry on the third day of January in the year of our