Joseph Hart Myers Executor of Naphtaly H. Myers against Benjamin Levy

Be it Remembered that heretofore towit on the second day of July in the year of our Lord one Thousand seven hundred and eighty nine Naphtaly H. Myers by Luther Martin his attorney sued out of the General Court here the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Baltimore County in form following towit.

The State of Maryland Sc. To the Sheriff of Baltimore County Greeting. We Command you that you take Benjamin Levy late of Baltimore County Gentleman otherwise called Benjamin Levy of the city of Philadelphia in the province of Pensylvania 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 October next, to answer unto Naphtaly Hart Myers of a plea that he render unto him the said Myers the sum of one Thousand six hundred and sixty six pounds thirteen shillings and four pence current money which to him he the said Levy owes and unjustly detains and doth. Hereof fail not at your peril, and have you then and there this writ. Witness Robert Hanson Harrison Esquire chief Judge of our said Court the 26th day of June Anno Domeni 1789.

Issued the 2d day of July 1789.

Lett Sa. Gwinn Clk

And the said Naphtaly H. Myers by his attorney aforesaid on the day of the date of the aforegoing writ Declared against the said Benjamin Levy in the plea aforesaid in form following towit.

Maryland Sc. Baltimore County towit

Benjamin Levy late of Baltimore County Gentleman otherwise called Benjamin Levy of the City of Philadelphia in the province of Pennsylvania Merchant was summoned to answer unto Naphtaly Hart Myers of a plea that he render unto him the said Myers the sum of One Thousand six hundred and sixty six pounds thirteen shillings and four pence Current money which to him he the said Levy owes and unjustly detains and doth. And thereupon the said Myers by Luther Martin his attorney saith that whereas the aforesaid Benjamin Levy on the second day of July in the year seventeen hundred and sixty at the county aforesaid by his certain writing Obligatory acknowledged himself to be held and firmly bound unto the said Myers in the sum of One Thousand pounds sterling money which said sum of sterling money then was ever since hath been and now is of the value of One Thousand six hundred and sixty six pounds thirteen shillings and four pence current money to be paid to the said Myers when

(afterwards)

afterwards he should be thereunto required. Nevertheless the aforesaid Benjamin Levy (although often thereunto required) the aforesaid sum of one Thousand pounds sterling at the aforesaid value thereof in current money to the said Myers hath not rendered or paid but the same to him hitherto to render or pay he hath altogether refused and still doth refuse wherefore the said Myers saith that he is the worse and hath Damage to the value of Five hundred pounds current money aforesaid and therefore he brings suit and so forth. and brings here into Court the writing Obligatory aforesaid. Sealed with the seal of the aforesaid Benjamin Levy which the Debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

L. Martin for the plaintiff. pledges and so forth John Doe and Richard Roe.

Oyer of the Bond.

Know all men by these presents that I Benjamin Levy of the city of Philadelphia in the province of Pensylvania merchant am held and firmly bound unto Naphtaly Hart Myers of the city of New York merchant in the sum of one Thousand pounds sterling money of Great Britain To be paid to the said Naphtaly Hart Myers a to his certain attorney. Executors administrators or assigns: To which payment well and truly to be made I bind myself my heirs executors and administrators firmly by these presents. sealed with my seal dated the second day of July in the year of our Lord One Thousand seven hundred and sixty. and in the Thirty fourth year of the Reign of our Sovereign Lord George the second. by the Grace of God. King of Great Britain. France and Ireland &c.

The Condition of this obligation is such, That if the above bounden Benjamin Levy his heirs. executors, administrators, or any of them shall and do well and truly pay or Cause to be paid unto the above named Naphtaly Hart Myers a to his certain attorney executors administrators or assigns, the just and full Sum of Five hundred pounds sterling money of great Britain in six months from the date hereof without any fraud or other delay; then this obligation to be void or else to remain in full force and virtue.

Sealed and delivered in the presence of us

Isaac Goelet, Archd Campbell

Benjamin Levy Seal

New York Oct. 15. 1762.

Rec. the Interest to the second October 1762 £62. 10. 0 Ny

and at the same time Principle 187. 10. Sterling

New York October 18th 1762.

I the subscriber do this day assign to Mr. Samuel Judah Three hundred & sixty two pounds Ten shillings sterling of the within Bond which I rec. this day at the rate of 65 p. Ct. at new york

(Currency)