P.B.K. Robert Peter
against
J.T.W. Zachariah Maccubbin

Be it remembered that heretofore to wit, on the seventeenth day of February, Anno domini seventeen hundred and ninety five the Plaintiff by Philip Barton Key, his attorney, sued out of our General Court the writ of the State of Maryland of Capias ad respondendum directed to the sheriff of Montgomery County in the words and figures following, to wit.

The State of Maryland, se. To the sheriff of Montgomery County Greeting, We Command you that you take Zachariah Maccubbin late of Montgomery County, planter otherwise called Zachariah McCubbin of Montgomery County and 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 May next to answer unto Robert Peter of a plea that he render unto him the full and just sum of three hundred and five pounds nine shillings 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 Judge of our said Court, the 10th day of February Anno Domini 1795.

Issued the 17th day of February 1795. (P.B.Key) Jno. Gwinn Clk.

And the aforesaid Robert Peter by his Attorney, aforesaid Declared against the aforesaid Zachariah Maccubbin in the plea aforesaid in manner and form following, to wit.

Western Shore State of Maryland, Montgomery County set.

Zachariah Maccubbin late of Montgomery County planter otherwise Called Zachariah McCubbin of Montgomery County and State of Maryland was summoned to answer unto Robert Peter of a plea that he render unto him the full and just sum of three hundred and five pounds nine shillings Current money which to him he owes and unjustly detains and soforth.

And whereupon the said Robert by Philip Barton Key his attorney, says, that whereas the aforesaid Zachariah on the Eighth day of November in the year one thousand seven hundred and ninety three at Montgomery County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid Robert in the aforesaid sum of Three hundred and five pounds nine shillings Current money to be paid to him the said Robert when afterwards he should be thereunto required.

Nevertheless

Nevertheless the aforesaid Zachariah (although often thereunto required) the aforesaid sum of three hundred and five pounds nine shillings Current money to him the said Robert hath not rendered or paid but the same or any part thereof to him hitherto to render or pay he hath altogether refused and still doth refuse wherefore he says he is the worse and hath damage to the value of six hundred pounds Current money and therefore he brings suit, and soforth; And brings here into Court the writing obligatory aforesaid, Sealed with the seal of the aforesaid Zachariah which the debt aforesaid in form aforesaid witnesseth, the date whereof is the day and year aforesaid and soforth.

Philip B Key for the Plff. Pledges, and soforth } John Doe, and Richard Roe.

And the aforesaid Zachariah by his attorney, comes and defends the force and injury, when and soforth and prays an hearing of the writing obligatory aforesaid, and the Condition thereof and he hath them in the words following, to wit.

Know all men by these presents, that I Zachariah McCubbin of Montgomery County and State of Maryland am held and firmly bound unto Robert Peter of County and State aforesaid in the full and just sum of Three hundred and five pounds nine shillings Current money to be paid unto the said Robert Peter his certain Attorny, Executors, Administrators or Assigns To the which payment well and truly, to be made and done I bind myself my heirs, Executors and administrators jointly, and severally, firmly by these presents Sealed with my seal and dated this Eighth day of November in the year of our Lord one thousand seven hundred and ninety three.

The Condition of the above obligation is such that if the above Bound Zachariah Maccubbin do and shall well and truly pay or cause to be paid unto the said Robert Peter his certain attorney, Executors administrators or Assigns the full and just sum of one hundred and fifty two pounds fourteen shillings and six pence Specie Cury. on or before the day of with legal Interest thereon, then the above obligation to be void else to remain in full force and virtue in Law.

Signed, Sealed and delivered in the presence of. J Thompson } Zach.h Maccubbin (Seal)

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 twelfth day of the same month Anno Domini seventeen hundred and ninety five and the day of