day of the same month Anno domini seventeen hundred and ninety five and the day of the return of the aforegoing writ comes here into our General Court the aforesaid John Forbes by Philip Barton Key his attorney aforesaid And the sheriff of Charles County to whom the said aforegoing writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed, to wit.

Cepi Copy left the 3d March 1795. bail piece & power
Jo: Green Shff.

And the said William Gardiner being called upon appears and at the prayer of the aforesaid John Forbes by his attorney aforesaid the said William Gardiner is adjudged to give special bail to the action aforesaid, Whereupon the said William Gardiner by Walter Dorsey his attorney files in Court here the following Bail piece, to wit.

John Forbes use of Philip B. Key against William Gardiner

You John Francis Gardiner and Charles Gardiner do jointly and severally acknowledge yourselves special bail for the said William Gardiner at the suit of the said John Forbes use of Philip B Key in an action of Debt brought by the said John Forbes for the use of Philip B. Key against the said William Gardiner in the General Court they acknowledge themselves to be content therewith this 20th day of May 1795.

Before Alex.r McPherson } Two of the justices of the Peace
James Freeman } for Charles County.

To the honourable the Judges of the General Court.

I hereby empower Walter Dorsey to appear for me in the above suit. William Gardiner And the said William Gardiner by Walter Dorsey his said attorney comes and defends the force and injury when and soforth and prays leave of the Court to imparle hereunto untill next Court, and he hath it, the same day is given to the aforesaid John Forbes also.

At which said next Court, to wit, the second Tuesday of October being the thirteenth day of the same month Anno Domini seventeen hundred and ninety five comes again here into our General Court as well the aforesaid John Forbes by his Attorney aforesaid as the aforesaid William Gardiner by his attorney aforesaid. And the said William Gardiner by his Attorney aforesaid as before defends the force and injury when and soforth And saith that the aforesaid John Forbes his action aforesaid against him to have or maintain ought not &c. because he saith that he the said William Gardiner did pay unto the aforesaid John Forbes the said sum of money in the Condition of the said writing obligatory mentioned with legal interest thereon according to the form and Effect of the Condition

Condition of the said writing obligatory mentioned with legal interest thereon according to the form and effect of the Condition of the said writing obligatory and this he is ready to verify wherefore he prays judgment if the aforesaid John Forbes his action aforesaid against him to have or maintain ought &c.a

And the aforesaid John Forbes saith that he by anything by the said William Gardiner above in pleading alledged from having or maintaining his action aforesaid against him ought not to be precluded because he saith that the said William Gardiner hath not paid unto him the aforesaid John Forbes the aforesaid sum of money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said William Gardiner above by pleading hath alledged and of this he prays May be enquired of by the Country and the aforesaid William Gardiner in like manner and soforth; Therefore let a jury thereupon appear before the judges of our General Court here on the second Tuesday of May 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.a

And now here at this day, to wit the said second Tuesday of May being the tenth day of the same month Anno Domini seventeen hundred and ninety six comes again here into our general Court as well the aforesaid John Forbes by his attorney aforesaid as the aforesaid William Gardiner by his attorney aforesaid. Nevertheless the aforesaid William Gardiner by his Attorney aforesaid relinquishing the averment aforesaid above by him pleended says that he cannot denny the action aforesaid of the said John Forbes so as aforesaid against him brought nor but that he owes to the aforesaid John Forbes the aforesaid sum of six hundred and forty two pounds eleven shillings and six pence Current money in manner and form aforesaid so as the aforesaid John Forbes above against him hath declared.

Therefore it is considered by the Judges here that the said John Forbes recover against the aforesaid William Gardiner as well the sum of six hundred and forty two pounds eleven shillings and six pence Current money his debt aforesaid in form aforesaid confessed, as also the quantity of Eight hundred and eight pounds of Tobacco by the Court here into the said John Forbes on his Assent adjudged as well for his Damages sustained by reason of the detention of that debt as for his costs and charges by him about his suit in this behalf laid out and expended and the aforesaid William Gardiner in mercy &c.

Memorandum