comes and further defends the force and injury when and so forth, and saith that the said James Somervell, William Duguid and Charles Davidson their action aforesaid against him to have or maintain ought not because he saith that he the said Ignatius Pigman upon the first day of January in the year one thousand seven hundred and ninety four, paid to the aforesaid James Somervell William Duguid and Charles Davidson, the aforesaid sum of five hundred and sixty one pounds eighteen shillings and two pence Current — Money as aforesaid in the condition of the writing obligatory aforesaid specified, according to the form and effect of the said Condition; — and this he is ready to verify, wherefore he prays Judgment whether the aforesaid James Somervell, William Duguid and Charles Davidson ought to have their action thereof against him and so forth. —

And the said James Somervell, William Duguid and Charles Davidson say that they by any thing by the said Ignatius Pigman above in pleading alledged from having or maintaining their action aforesaid against him ought not to be precluded because they say that the aforesaid Ignatius Pigman did not pay unto them the said James Somervell, William Duguid and Charles — Davidson the aforesaid sum of money in the Condition aforesaid — mentioned with the interest thereon in such manner and form as the said Ignatius Pigman above by pleading hath alledged and this they pray may be enquired of by the Country and the — aforesaid Ignatius Pigman 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. 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 eleventh day of the same month Anno Domini seventeen hundred and ninety six come again here into our General Court as well the aforesaid James Somervell, William Duguid and Charles Davidson by their Attorney aforesaid, as the aforesaid Ignatius Pigman by his Attorney aforesaid: — Nevertheless the aforesaid Ignatius Pigman by his Attorney aforesaid relinquishing the averment aforesaid above by him pretended says that he cannot deny the action — aforesaid of the said James Somervell, William Duguid and Charles Davidson so as aforesaid against him brought nor but that he owes

(to)

to the aforesaid James Somervell, William Duguid and Charles Davidson the aforesaid sum of eleven hundred and twenty three pounds sixteen shillings and four pence Current money in manner and form as the aforesaid James Somervell, William Duguid and Charles Davidson above against him have declared. — Therefore it is considered by the Judges here that the said James Somervell, William Duguid and Charles Davidson recover against the aforesaid Ignatius Pigman as well the sum of Eleven hundred and twenty three pounds sixteen shillings and four pence Current Money their debt aforesaid in form aforesaid confessed as also the quantity of Eight hundred and ninety three pounds of Tobacco by the Court here unto the said James Somervell, William Duguid and Charles Davidson 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 Ignatius Pigman in Mercy &c. —

Memorandum, Judgment was rendered in this cause on the twelfth day of October Anno Domini seventeen hundred and ninety six, for Penalty and Costs of Suit: And the Plaintiffs agree to release the penalty upon payment of Principal Interest and Costs, and agree to stay Execution untill the first day of January next, payment if any to be allowed. —

25 fees

Test. John Greenn Clk.

Thomas McFaterly's Lessee against Matthias Sitter.

State of Maryland, Baltimore County to wit. — Be it remembered that on the twelfth day of May Anno Domini seventeen hundred and ninety five Mathias Sitter late of the County aforesaid Yeoman was attached to answer Thomas Goodtitle in a plea, why he, with force and Arms, into a lot or parcel of Ground situate and lying in Howard's late addition to Baltimore Town, and known and distinguished on the plat of the said Town by the Number six hundred and eleven, which part is contained within the following Metes and bounds viz. Beginning for the same at the end of Two hundred and sixty four feet from the intersection of Howard and Fayette Streets, thence South parallel with Howard Street half the distance from Fayette Street to Cowpen Alley being about eighty feet more or less, thence East parallel with Cowpen Alley, thirty three feet, thence North, parallel with Howard Street, to Fayette Street, thence West, bounding on said street, thirty three feet, to the place of beginning with the appurtenances, in the County aforesaid, which Thomas

(McFaterly)