aforesaid Robert Courtnay assignee as aforesaid by his Attorney — aforesaid as the aforesaid Elizabeth Parker by her Attorney aforesaid And the aforesaid Elizabeth Parker by her Attorney aforesaid as before defends the force and injury when and so forth And saith that the aforesaid Robert Courtnay assignee as aforesaid his Action aforesaid against her to have or maintain ought &c because she saith that she the said Elizabeth Parker did pay unto the aforesaid Robert Courtenay assignee as aforesaid 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 of the said Writing obligatory and this she is ready to verify wherefore she prays Judgment if the aforesaid Robert Courtenay assignee as aforesaid his Action aforesaid against her to have or maintain ought &c

And the said Robert Courtenay assignee as aforesaid saith that he by any thing by the aforesaid Elizabeth Parker above in pleading alledged from having or maintaining his Action aforesaid against her ought not to be precluded, because he saith that the aforesaid Elizabeth Parker did not pay unto him the said Robert Courtenay assignee as aforesaid, the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the aforesaid Elizabeth Parker above by pleading hath alledged, And of this he prays may be enquired of by the Country And the said Elizabeth Parker in like manner and so forth

And because it is convenient that there be but one taxation of Damages in this behalf, if Judgment should happen to be given for the aforesaid Robert Courtenay assignee as aforesaid against the — aforesaid Elam Bailey and against the aforesaid Elizabeth Parker in the plea aforesaid Therefore it is adjudged, by the Court here that the actions aforesaid by the aforesaid Robert Courtenay assignee as aforesaid against the aforesaid Elam Bailey and against the aforesaid Elizabeth Parker brought be consolidated And for trying the Issue aforesaid between the parties aforesaid above joined to be tried and determined 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 Eleventh day of the same month Anno Domini — (seventeen)



seventeen hundred and ninety six come again here into our General Court as well the aforesaid Robert Courtenay assignee as aforesaid by his Attorney aforesaid, as the aforesaid Elam Bailey and Elizabeth Parker by their Attorney aforesaid. Nevertheless the aforesaid Elam Bailey and Elizabeth Parker by their Attorney aforesaid relinquishing the Amerements aforesaid above by them pretended say, that they cannot deny the Action aforesaid of the aforesaid Robert Courtenay assignee as aforesaid so as aforesaid against them brought, nor but that they owe to the aforesaid Robert Courtenay assignee as aforesaid, the aforesaid sum of Four hundred and seventy four pounds sixteen shillings and four pence Current Money of Maryland in manner and form aforesaid so as the aforesaid Robert Courtenay assignee as aforesaid above against them the aforesaid Elam Bailey and Elizabeth Parker hath declared. —

Therefore it is considered by the Court here that the said Robert Courtenay assignee as aforesaid recover against the aforesaid Elam Bailey and Elizabeth Parker as well the sum of Four hundred and seventy four pounds sixteen shillings and four pence Current Money of Maryland his Debt aforesaid in form aforesaid confessed as also the quantity of Eleven hundred and eighty six pounds of Tobacco by the Court here unto the said Robert Courtenay assignee as aforesaid on his agreement 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 Elam Bailey and Elizabeth Parker in Mercy &c. —

Memorandum, Judgment was rendered in this Cause, on the fourteenth day of October Anno Domini seventeen hundred and ninety six, for penalty and Costs of Suit; And the Plaintiff agrees to release the penalty upon the principal, Interest and Costs, and agrees to stay Execution until the first day of January next, payments if any to be allowed. —

41 folios

Test John Gwinn Clk

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|---|---|
| Benjamin Chew Junior Ass.ee of Thomas Smyth Junr. against Robert Walsh | Be it remembered that heretofore to wit, on the twenty eighth day of July in the year of our Lord one thousand seven hundred and ninety five the Plaintiff by William Cooke his Attorney sued out of our General Court |

the writ, of the State of Maryland of Capias ad respondendum directed to the Sheriff of Baltimore County in the words and figures following to wit.

The State of Maryland, ss. To the Sheriff of Baltimore County Greeting We command you that you take Robert Walsh late of Baltimore County (Merchant)