obligatory mentioned with the Interest thereon according to the said Condition of the writing obligatory aforesaid, and this he is ready to verify, wherefore he prays Judgment if the said William Burrell Magruder ought to have or maintain his action aforesaid against him and so forth. And the said William Burrell Magruder by his attorney aforesaid saith that he by any thing by the said George King above in pleading alleged, ought not to be precluded from having or maintaining his action aforesaid against him because he saith that the said George King hath not paid to him the said William Burrell Magruder the said sum of money in the Condition aforesaid mentioned, with the Interest thereon in manner and form as the said George King above by pleading hath alleged, and this he prays may be enquired of by the Country, And the said George King in like manner and so forth. Therefore let a Jury thereon appear before the Court here on the second tuesday of October next, by whom and so forth, and who neither and so forth to recognize and so forth, because as well and so forth, the same day is given to the parties aforesaid then and there and so forth. And now at this day to wit, the said second tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, come again into the General Court here as well the said William Burrell Magruder by his attorney aforesaid as the said George King by his attorney aforesaid, Thereupon the said George King by his attorney aforesaid relinquisheth the averment aforesaid above by him pretended and saith that he cannot deny the action aforesaid of the said William Burrell Magruder as aforesaid against him brought nor but that he owes to the said William Burrell Magruder the said sum of nine hundred and seventeen pounds seven shillings and one penny Current money of Maryland in manner and form as the said William Burrell Magruder above against him hath declared. Therefore it is considered by the Court here that the said William Burrell Magruder recover against the said George King as well the said sum of nine hundred and seventeen pounds seven shillings and one penny Current money of Maryland the Debt aforesaid in form aforesaid confessed as the quantity of Eight hundred and twenty five pounds of Tobacco, by the Court here adjudged unto him the said William Burrell Magruder on his agent as well for the damages sustained by reason of the detention of the said Debt as for the Costs and Charges by him laid out and Expended about his suit in this behalf, And the said George King in mercy and so forth.

Memorandum. On the tenth day of October in the year of our Lord one thousand

thousand seven hundred and ninety eight, Judgment was rendered in this Cause for the Penalty of the Bond and the Costs of suit, To be released on the payment of the Principal Interest and Costs. Payments if any to be allowed, Stay Execution till the first day of January next.

Test John Gwinn Clk.

James D. Barry vs William Wharm	Be it remembered that heretofore on the twenty third day of August in the year of our Lord one thousand seven hundred and ninety seven James D. Barry by William Cranch 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 Montgomery County in form following, to wit.

The State of Maryland to the sheriff of Montgomery County, greeting: You are hereby commanded to take William Wharm late of Montgomery County merchant if he shall be found in your bailiwick and him safe keep so that you have his body before the Judges of the General Court to be held at the City of Annapolis on the second Tuesday of October next to answer unto James David Barry in a plea of trespass upon the Case and so forth. Hereof fail not at your peril and have you then and there this writ Witness the honourable Robert Goldsborough Esquire chief Judge of the said Court the Eighteenth day of July anno domini 1797.

Issued the 23. day of August 1797. (W Ch.) Jno. Gwinn Clk.

And the said James D. Barry by his attorney aforesaid on the day of the date of the aforegoing writ filed in Court here his declaration against the said William Wharm in the plea aforesaid a Copy whereof was made and sent to the sheriff of the County aforesaid in form following, to wit.

State of Maryland, Western shore, Montgomery County to wit William Wharm late of Montgomery County merchant was attached to answer unto James David Barry in a plea of trespass upon the case and so forth. And whereupon the said James David Barry by William Cranch his attorney complains that whereas the said William Wharm after the first day of May in the year of our Lord one thousand seven hundred and five to wit, on the tenth day of May in the year of our Lord one thousand seven hundred and ninety seven at George Town to wit at Montgomery County aforesaid made his certain note in (writing)