said Sarah on the same day and ought to have paid, according to the form and effect of the said Condition of the writing Obligatory aforesaid, to wit at Baltimore County aforesaid, and this she is ready to verify, wherefore she prays Judgment if the said William and Francis ought to have or maintain their Action against her the said Sarah, and so forth.

And the said Dawes and Scott by their attorney aforesaid say that they by any thing by the said Sarah Smith above in pleading alleged, ought not to be precluded from having or maintaining their Action aforesaid against her because they say that the said Sarah Smith hath not paid to them the said Dawes and Scott the said sum of Money in the Condition aforesaid mentioned with the Interest thereon in manner and form as the said Sarah Smith above by pleading hath alleged, and this they pray may be enquired of by the Country and the said Sarah Smith in like manner and so forth. Therefore let a Jury thereon appear before the Court here on the second Tuesday of May next by whom and so forth, and who neither and so forth to recognize because as well and so forth, the same day is given to the parties aforesaid there and there and so forth.

And now at this day to wit, the said second Tuesday of May being the fourteenth day of the same Month, in the year of our Lord one thousand seven hundred and ninety nine, come again into the General Court here, as well the said Dawes and Scott by their Attorney aforesaid as the said Sarah Smith by her attorney aforesaid, Thereupon the said Sarah Smith by her attornies aforesaid relinquishing the averment aforesaid above by her pretended, and saith that she cannot deny the action aforesaid of the said Dawes and Scott so as aforesaid against her brought, nor but that she owes to the said Dawes and Scott the said sum of four hundred and seventy seven pounds ten shillings and six pence Current Money in manner and form as the said Dawes and Scott above against her have declared.

Therefore it is Considered by the Court here that the said Dawes and Scott recover against the said Sarah Smith as well the said sum of Four hundred and seventy pounds ten shillings and six pence Current Money the debt aforesaid in form aforesaid confessed as the quantity of Seven hundred and fifty three pounds of Tobacco by the Court here adjudged unto the said Dawes and Scott on their assent for the damages sustained by reason of the detention of that Debt as for the Costs and Charges by them laid out and

(expended)

expended about their Suit in this behalf and the said Sarah Smith in Mercy and so forth.

Memorandum, on the Seventeenth day of May in the year of our Lord one thousand seven hundred and ninety nine, Judgment was rendered in this Cause for the penalty of the Bond and the Costs of Suit, to be released on payment of Principal, Interest and Costs, payments if any to be allowed Stay Execution till 1st August next.

Test. John Gwinn Clk.

Adam Shepherd against Alexander W. Davey	Be it remembered, that heretofore, to wit, on the twentieth day of January in the year of our Lord one thousand seven hundred and ninety eight, the said Adam Shepherd by James

Winchester his attorney, sued out of the 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 you are hereby commanding to take Alexander Woodrop Davey late of Baltimore County, Yeoman, 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 May next, to answer unto Adam Shepherd in a plea of Trespass upon the Case. Hereof fail not at your peril, and have you then and there this Writ. Witness the honorable Robert Goldsborough Esquire, Chief Judge of the said Court the first day of November Anno Domini 1797.

Issued the 20th day of January 1798. (J.W.) John Gwinn Clk.

And the aforesaid Adam Shepherd by his attorney aforesaid on the day of the issuing of the aforesaid Writ filed in Court here, the following Declaration a Copy whereof was made and sent with the said writ, to the Sheriff of the County aforesaid, to wit.

Western Shore of Maryland, Baltimore County ss. Alexander Woodrop Dawey late of Baltimore County, Yeoman, was attached to answer Adam Shepherd in a plea of Trespass upon the Case Whereupon the said Adam by James Winchester his attorney complaints, that whereas the said Adam Alexander on the twenty ninth day day of August in the year seventeen hundred and ninety four to wit at the County aforesaid in consideration that the said Adam had undertaken and then and there faithfully promised the said Alexander, that he the said Adam would convey and assure unto the said Alexander certain Lands situate in

(the)