Attonies, as the said Samuel Mathins by Arthur Shaaff his Attorney aforesaid; And the said Samuel Mathins by his Attorney aforesaid, as before defends the force and injury when and so forth, and saith that the aforesaid William Wells his Action aforesaid against him to have or maintain ought not &c. because he saith that he the said Samuel Mathins did pay unto the aforesaid William Wells the said sum of money in the Bill Obligatory aforesaid mentioned with legal Interest thereon, according to the form and effect of the Bill Obligatory, and this he is ready to verify, wherefore, he prays Judgment, if the aforesaid William Wells his Action aforesaid against him to have or maintain ought and so forth.

And the aforesaid William Wells by his Attorney aforesaid saith that he by anything by the said Samuel Mathins above in pleading alleged from having or maintaining his Action aforesaid against him ought not to be precluded, because he saith that the said Samuel Mathins hath not paid unto him the aforesaid William Wells the aforesaid sum of money in the Bill Obligatory aforesaid mentioned with the Interest thereon in such manner and form as the said Samuel Mathins above by pleading hath alleged, and this he prays may be enquired of by the Country, and the said Samuel Mathins in like manner and so forth. Therefore &c. 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 and so forth, because as well and so forth, the same day is given to the said parties then 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, comes again into the General Court here, as well the aforesaid William Wells by his Attorney aforesaid, as the said Samuel Mathins by his Attorney aforesaid;

Nevertheless, the said Samuel Mathins by his Attorney aforesaid, relinquishing the averment aforesaid, above by him pretended, says that he cannot deny the Action aforesaid, of the aforesaid William Wells so as aforesaid against him brought, nor but that he owes to the aforesaid William Wells the aforesaid sum of Eighty nine pounds nine shillings and eleven pence half penny Current Money in such manner and form as the aforesaid William Wells against him hath declared, nor but that the aforesaid William Wells hath sustained damage by reason of the detention of the said Debt to the sum of Two hundred pounds Current Money besides his Costs and charges by him laid out and expended about

(his)

his suit in this behalf and so forth; And thereupon the aforesaid William Wells by his Attorney aforesaid prays Judgment for the Debt aforesaid, so as aforesaid confessed, together with the damages aforesaid, so as aforesaid acknowledged, and also the Costs and charges by him laid out and expended about his suit in this behalf to be adjudged to him and so forth.

Therefore, it is considered by the Court here, that the aforesaid William Wells recover against the said Samuel Mathins, as well the said sum of Eighty nine pounds, nine shillings and eleven pence half penny Current Money the Debt aforesaid in form aforesaid confessed, and also the said sum of Two hundred pounds Current Money the damages aforesaid, in form aforesaid acknowledged to be sustained by reason of the detention of the said Debt, as the quantity of Nine hundred and eighty five pounds of Tobacco, by the Court here unto him the aforesaid William Wells on his assent adjudged for the costs and charges, by him about his suit, in this behalf laid out and expended; And the said Samuel Mathins in Mercy and so forth.

Memorandum; Judgment rendered in this cause, on the twenty first day of May, in the year of our Lord, One thousand seven hundred and ninety nine, for the sum of Eighty nine pounds, nine shillings and eleven pence half penny Current Money Debt, and the sum of Two hundred pounds Current Money, Damages and Costs of Suit; Damages to be released on payment of Interest on the Debt, from the nineteenth day of September, in the year of our Lord, one thousand seven hundred and ninety four, till paid; and the Plaintiff agrees to stay Execution until the first day of August next; Payments if any to be allowed. Test. John Gwinn Clk

William Wells for the use of Andrew Buchanan against William Mathins

Be it remembered, that heretofore, to wit, on the twenty first day of September in the year of our Lord one thousand seven hundred and ninety eight, the said William Mathins by Jonathan A. Wilmer his Attorney sued out of the General Court the writ of the State of Maryland of Habeas Corpus Cum Causa, directed to the Chief Justice, Associate Justices and Sheriff of Anne Arundel County, in the words and figures, following, to wit;

The State of Maryland, &c. To the Chief Justice and Associate Justices of Anne Arundel County, and the Sheriff of the said County,

(Greeting)