Francis Deakins Exor of William Deakins use of John Snowden against Thomas Johnson.

Be it remembered that heretofore to wit on the seventeath day of April in the year of our Lord One thousand seven hundred and ninety nine; Francis Deakins Executor of William Deakins by Richard Ridgely his attorney sued forth out of the General Court here, the writ of the State of Maryland of Capias ad respondendum, against Thomas Johnson, directed to the Sheriff of Frederick County in form following to wit. — The State of Maryland Sc. To the Sheriff of Frederick County. Greeting. You are hereby commanded to take Thomas Johnson late of Frederick County, Gentleman, otherwise called Thomas Johnson of Frederick County and State of Maryland, if he shall be found in your bailiwick, and him safe keep so that you have his body before the General Court, to be held at the City of Annapolis on the second tuesday of May next, to answer unto Francis Deakins Executor of the testament and last will of William Deakins Junior late of Montgomery County, deceased, in a plea that he render unto him the full and just sum of One thousand pounds current money, which to him he owes and unjustly detains and so forth. Hereof fail not at your peril and have you then and there this writ. Witness the honorable Jeremiah Townley Chase Esquire chief Judge of the said Court the Twenty first day of February in the year of our Lord One thousand seven hundred and ninety nine. — Issued the 17th day of April 1799. R. R. Jr. Grain Clk. Whereupon the said Francis Deakins Executor as aforesaid by his attorney aforesaid declared against the said Thomas Johnson in the plea aforesaid in form following (a copy whereof was made and sent with the said writ to the Sheriff of the County aforesaid) to wit. — Western Shore, State of Maryland Frederick County Sc. Thomas Johnson late of Frederick County, Gentleman otherwise called Thomas Johnson of Frederick County and State of Maryland was summoned to answer unto Francis Deakins Executor of the Testament and last will of William Deakins Junior late of Montgomery County, deceased in a plea, that he render unto him the full and just sum of One thousand pounds current money which to him he owes and unjustly detains and so forth. — And Whereupon the said Francis Deakins by Richard Ridgely his attorney saith that Whereas the aforesaid Thomas Johnson on the Twentieth day of June in the year One thousand seven hundred and ninety five at Frederick County aforesaid, by his certain writing Obligatory acknowledged himself to be held and firmly bound unto the aforesaid William Deakins, in his life time in the aforesaid full and just sum of One thousand pounds current money to be paid to the said William when afterwards he should be thereunto required: Nevertheless the aforesaid Thomas, although often thereto required by the said William in his life time, and by the said Francis since the death of the said William, (to which said Francis, letters Testamentary under the last will and Testament of the said William, have been in due form of Law, granted) the aforesaid sum of One thousand pounds current money

to the said William in his life time, or to the said Francis since the death of the said William have not rendered or paid, but the same sum of current money to the said Francis hitherto to render or pay he hath altogether refused, and still doth refuse; Wherefore the said Francis saith he is the worse and hath damage to the value of seven hundred and fifty pounds current money, and therefore he brings Suit, and so forth, and brings here into Court the writing Obligatory aforesaid, sealed with the seal of the aforesaid Thomas Johnson, which the Debt aforesaid in form aforesaid, witnesseth, the date whereof is the day and year aforesaid, and so forth. and also he the said Francis brings into Court the Letters Testamentary granted to the said Francis under the last will of the said William: Whereby it appears to the Court here that the said Francis hath administration so forth. — Rd. Ridgely for the plaintiff. — Pledges, and so forth. John Doe and Richard Roe. —

Know all Men by these presents that I Thomas Johnson of Frederick County and State of Maryland am held and firmly bound unto William Deakins Jun. of George Town Montgomery County and State aforesaid in the just and full sum of One thousand pounds current money of the State aforesaid to be paid unto the said William Deakins Jun. his certain attorney Executors administrators and assigns to the which payment well and truly to be made and done I bind myself my Heirs Executors administrators, firmly by these presents. Sealed with my seal and dated this twentieth day of June in the year of our Lord One thousand seven hundred and ninety five. The Condition of the above Obligation is such that if the above bound Thomas Johnson do and shall well and truly pay or cause to be paid unto the said William Deakins Jun. his certain attorney Executors — Administrators or assigns the just and full sum of Five hundred pounds current money of the State aforesaid on or before the first day of October seventeen hundred and ninety seven with legal interest thereon from the First day of January last then the above Obligation to be void and of no effect else to remain in full force and virtue in Law. —

Signed, sealed and delivered in the presence of Francis Deakins. } Thomas Johnson (Seal)

For value received I do hereby assign transfer and make over unto Mr. John Snowden his Heirs or assigns all my right title property, claim and demand of in and to the within Bond. as Witness my hand and seal this 16th day of November 1797. — Will: Deakins Jun (Seal)

Witness. — Washington Bowie, John Reid. —

At which said Second tuesday of May in the year of our Lord One thousand seven hundred and ninety nine, being the day of the return of the aforegoing writ, comes into the General Court here, the said Francis Deakins Executor as aforesaid by his attorney aforesaid, and the Sheriff of Frederick County to whom the said aforegoing writ was in form aforesaid