injury when and soforth and says that the aforesaid John Hoskins Stone and Walter Dorsey assignees aforesaid there action aforesaid against him to have or maintain ought not and soforth, because he saith that he the said Peregrine Fitzhugh did pay unto the aforesaid John Hoskins Stone and Walter Dorsey assignees 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 said writing obligatory, and this he is ready to verify, wherefore he prays judgment if the aforesaid John Hoskins Stone and Walter Dorsey assignees aforesaid their action aforesaid against him to have or maintain ought and soforth.

And the aforesaid John Hoskins Stone and Walter Dorsey assignees aforesaid by their attorney aforesaid say, that they by any thing by the said Peregrine Fitzhugh above in pleading alledged from having or maintaining their action aforesaid against him ought not to be precluded because they say that the said Peregrine Fitzhugh did not pay unto them the aforesaid John Hoskins Stone and Walter Dorsey assignees aforesaid the aforesaid sum of money in the Condition aforesaid mentioned with interest thereon in such manner and form as the said Peregrine Fitzhugh above by pleading hath alledged and this they pray may be enquired of by the County and the said Peregrine Fitzhugh in like manner and soforth.

Therefore let a jury thereon appear before the Court here on the second tuesday of May next, by whom and soforth and who neither and soforth to recognize and soforth because as well and soforth the same day is given to the said parties then and there and soforth.

And now at this day to wit, the said second tuesday of May being the thirteenth day of the same month in the year of our Lord one thousand eight hundred come again into the General Court here as well the said John Hoskins Stone and Walter Dorsey Assignees aforesaid by their attorney aforesaid as the said Peregrine Fitzhugh by his attorney aforesaid and the said Peregrine Fitzhugh by his attorney aforesaid relinquishing the averment by him him above pretended says that he cannot deny the action aforesaid of the aforesaid John Hoskins Stone and Walter Dorsey Assignees aforesaid so as aforesaid against him brought nor but that he owes to the aforesaid John Hoskins Stone and Walter Dorsey assignees aforesaid the aforesaid sum of one thousand pounds Current money in manner and form aforesaid so as the aforesaid John Hoskins Stone and Walter Dorsey Assignees aforesaid above against him have declared.

Therefore

Therefore it is considered by the Court here that the aforesaid John Hoskins Stone and Walter Dorsey Assignees aforesaid do recover against the said Peregrine Fitzhugh as well the aforesaid sum of one thousand pounds Current money the debt aforesaid in form aforesaid confessed as the quantity of nine hundred and forty one pounds of tobacco by the Court here adjudged unto the said John Hoskins Stone and Walter Dorsey assignees aforesaid on their agent for the Costs and Charges laid out and expended by them about their suit in this behalf and the said Peregrine Fitzhugh in mercy and soforth.

Memorandum. On the thirtieth day of May in the year of our Lord one thousand eight hundred, Judgment was rendered in this Cause for the penalty and Costs of suit. The penalty to be released on payment of the principal Interest and Costs – Stay of Execution till the first day of August next.

Test Jno. Gwinn Clerk.

James Thomas
against
Henry Barbury

Be it remembered, that heretofore to wit, on the sixth day of August in the year of our Lord one thousand seven hundred and ninety eight the said James Thomas by John Johnson his attorney sued out of the General Court the writ of the State of Maryland of Capias ad respondendum directed to the sheriff of Saint Marys County in the words and figures following to wit

The State of Maryland &c. To the sheriff of Saint Mary's County, Greeting. You are hereby commanded to take Henry Barbury late of Saint Mary's County Gentleman otherwise called Henry Barbury of Frederick County 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 Thomas in a plea that he render unto him the full and just sum of Eight hundred and ten pounds fourteen shillings Current money which to the said James he owes and from him unjustly detains and soforth. Thereof 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 fourth day of June Anno domini 1798.

Issued the sixth day of August 1798. J.J. John Gwinn Clk

And the aforesaid James Thomas by his attorney aforesaid on the day of the issuing of the aforesaid writ filed in Court here the following Declaration and oyer of Bond a Copy whereof was made and sent with the