to the Said Thomas Contee by the Said Beatty and Hawkins, and by the Deed aforesaid the Said Walter agreed and bound himself to pay for the Said Lots the Sum of One hundred and fifty pounds Current Money, in manner following, that is to Say, Seventy five pounds thereof to be paid Sixty days after the date of the Said deed, and the remaining Seventy five pounds the Said Walter was then to give his Bond for to the Said Thomas Contee payable three years after date with Interest; and the Said Thomas Contee did thereby oblige himself and his heirs upon the receipt of the Seventy five pounds, and bond payable as aforesaid, to convey to the Said Walter or his heirs, the Said Lots or parcels of ground by good and sufficient Deed in fee simple with Special Warranty only, and the Said Thomas Contee in fact says that the Said Walter did not give his bond for the last mentioned Seventy five pounds payable three years after date thereof with interest, which he ought to have done according to the form and effect of his deed aforesaid in this behalf made, and further that the Said Walter has not paid to him the Said Thomas the Sum of Money last aforesaid, and therefore the Said Thomas says the Said Walter altho often requested, his agreement aforesaid in form aforesaid made to him the Said Thomas did not perform but broke, and the same to him hitherto to perform the Said Walter hath refused and still doth refuse, wherefore the Said Thomas says he is prejudiced and hath damage to the value of Two hundred pounds Current Money, and therefore he brings Suit &c.

Th. Buchanan for the Plff. pledges &c. John Doe and Richard Roe.

(Oyer of the Deed aforesaid follows)

Memorandum of an Agreement between Thomas Contee of Prince Georges County and State of Maryland of the one part, and Walter Brookes of Montgomery County and State aforesaid of the other part Witnesseth that the Said Contee hath this day Sold to the Said Brookes, two lots or parcels of Ground in Beatties and Hawkins addition to George Town being the same lots that was conveyed to Said Contee by Said Beatty and Hawkins the Said Brookes hereby agreeing and binding himself to pay for the same the Sum of One hundred and fifty pounds Current in manner following that is to Say, Seventy five pounds thereof to be paid Sixty days after the date hereof, the remainder Seventy five pounds the Said Brookes is

(then)

then to give Said Contee his Bond for payable Three years after date bearing interest; and the Said Contee doth hereby oblige himself and his heirs upon the receipt of the Seventy five pounds and Bond payable as above then to convey to Said Brookes or his heirs the Said lots or parcels of ground by a deed and Sufficient deed in fee Simple with Special Warranty only. In Witness whereof the parties have hereunto affixed their hands and seals this tenth day of October in the year one thousand Seven hundred and ninety five.

Test. Walter Brookes (Seal)

Wm. Sling Thos. Contee (Seal)

And the Said Thomas Contee by Thomas Buchanan his Attorney aforesaid prays that the Said Walter Brookes may to his Writ and Declaration answer. And now here at this day, to wit, the third Monday in April eighteen hundred and one comes again as well the Said Thomas Contee by his Attorney aforesaid as the Said Walter Brookes by his Attorney aforesaid And the Said Walter Brookes by his Said Attorney produces to the Court here the Writ of Habeas Corpus which is allowed by the Court and the Record ordered to be transmitted accordingly.

Maryland, to. The State of Maryland, To the Chief Justice and Associate Justices of Anne County Court, and the Sheriff of the Said County, Greeting, Whereas a certain Walter Brookes is detained in the prison of the Said County, under the Custody of you the Said Sheriff, at the Suit of a certain Thomas Contee in a plea of Covenant and So forth; which Said plea, as it is said, still depends before you, the Said Justices undetermined; and the General Court being willing, for divers causes, that the plea aforesaid, undetermined as aforesaid should be heard and determined before the said General Court, therefore you are hereby commanded, to have the body of the Said Walter Brookes by whatsoever name or names he may be called in the plea aforesaid together with the cause of his caption and detention, and all things thereunto relating, before the Said General Court, to be held at the City of Annapolis on the second Tuesday of May next that the Said General Court may further proceed therein as to Justice appertains and So forth; hereof fail not at your peril, and have you then and there this writ. Witness the honourable Jeremiah Townley Chase Esquire Chief Judge of the Said General Court the thirteenth day of February in the year of our Lord one thousand eight hundred and one.

(Issued)