his Attorney aforesaid, It is ruled by the Court here that the said Edward Henry Calvert answer to the declaration aforesaid of the aforesaid William Stewart administrator aforesaid in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; And the said Edward Henry Calvert by his Attorneys aforesaid, defends the force and injury when and so forth and prays leave of the Court here to imparle until, the second Tuesday of May next, and then to answer to the declaration aforesaid of the aforesaid William Stewart administrator aforesaid in the plea aforesaid; and to him it is granted, the same day is given to the aforesaid William Stewart Administrator aforesaid also.

At which said second Tuesday of May being the twelfth day of the same month in the year of our Lord one thousand eight hundred and one, to which said day the said Edward Henry Calvert had leave to imparle and then to answer to the declaration aforesaid of the aforesaid William Stewart Administrator aforesaid, in the plea aforesaid, come again into the General Court here as well the aforesaid William Stewart Administrator aforesaid by his Attorney aforesaid, as the said Edward Henry Calvert by his Attorneys aforesaid, And the said Edward Henry Calvert by his Attorneys aforesaid, defends the force and injury when and so forth, and saith that the aforesaid William Stewart administrator aforesaid, his action aforesaid against him to have or maintain ought not and so forth because he saith that he the said Edward Henry Calvert did pay unto the aforesaid William Stewart administrator 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 Condition of the said writing obligatory and this he is ready to verify; wherefore he prays Judgment if the aforesaid William Stewart his Action aforesaid against him to have or maintain ought and so forth.

And the aforesaid William Stewart administrator aforesaid by his Attorney aforesaid saith that he by any thing by the said Edward H. Calvert above in pleading alledged from having and maintaining his Action aforesaid against him ought not to be precluded because he saith that the said Edward Henry Calvert did not pay unto him the aforesaid William Stewart administrator aforesaid the aforesaid sum of money in the Condition aforesaid mentioned with

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the Interest thereon in manner and form as the said Edward Henry Calvert above by pleading hath alledged, and this he prays may be enquired of by the Country and the said Edward Henry Calvert in like manner and so forth. Therefore let a Jury thereon appear before the Court here, on the second Tuesday of October 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 October being the thirteenth day of the same month in the year of our Lord one thousand eight hundred and one, come again into the General Court here, as well the aforesaid William Stewart administrator aforesaid by his Attorney aforesaid, as the aforesaid Edward Henry Calvert by his Attorneys aforesaid, And the said Edward Henry Calvert by his Attorneys aforesaid relinquishing the averment aforesaid, above by him pretended, says that he cannot deny the action aforesaid of the aforesaid William Stewart administrator aforesaid, so as aforesaid against him brought, nor but that he owes to the aforesaid William Stewart administrator aforesaid the aforesaid sum of One thousand and twenty nine pounds fifteen Shillings and ten pence Current Money in manner and form aforesaid, so as it is aforesaid William Stewart administrator aforesaid above against him hath declared.

Therefore it is considered by the Court here that the aforesaid William Stewart administrator aforesaid recover against the said Edward H. Calvert as well the sum of one thousand and twenty nine pounds fifteen Shillings and ten pence Current Money his Debt aforesaid in form aforesaid confessed, as the quantity of seven hundred and twenty nine pounds of Tobacco by the Court here unto the aforesaid William Stewart Administrator aforesaid on his assent adjudged for his damages which he hath sustained as well by reason of the detention of that debt as for his costs and charges by him about his Suit, in this behalf laid out and expended; And the said Edward Henry Calvert in Mercy and so forth.

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Memorandum, Judgment rendered in this Cause on the twenty sixth day of October in the year of our Lord one thousand eight hundred and one for the Penalty and Costs of Suit, and the Plaintiff agrees to release the penalty upon payment of Principal Interest and Costs and

(agrees)