Sarah Seth Administrators of James Seth by Gustavus Scott and Peregrine Letchbury their Attorneys Prayed Liberty of Imparling thereof there until the second Tuesday of September then next & they had it The same day is as given to the aforesaid James Ferguson there and so forth.
And now here to wit the second Tuesday of September seventeen hundred and eighty five cometh the Parties aforesaid by their Attorneys aforesaid. And upon hearing the Allegations on each side and the Testimony produced in Support thereof It is Considered by the Court here That the Petition of James Ferguson be Dismissed And that he be remanded to the Custody and Service of the said Charles Seth and Sarah Seth Administrators of James Seth. and so forth.

James Earle Clk.

William Tharp against Margaret Fassett Executrix of David Fassitt

The State of Maryland. Command was given to the Justices and Sheriff of Worcester County That whereas Margaret Fassitt Executrix of the Testament and last Will of David Fassitt was detained in the Prison of our said County under the Custody of our said Sheriff at the Suit of a certain William Tharp of a plea of Debt which said Plea as it was said shell depended before them our said Justices undetermined And we being Willing for divers Causes that the Plea aforesaid undetermined as aforesaid should be heard and determined before the Judges of our General That they should have the Body of the said Margaret Fassitt by whatsoever Name or Names she might be called in the Plea aforesaid together with the Cause of her Caption and Detention and all things thereunto relating before the Judges of our General Court to be held for the Eastern Shore of this State at Talbot County Court house the second Tuesday of September then next that the Judges of our said Court might further proceed thereon as to Justice appertained and so forth And that they should not thereof fail at their Peril And that they should have then and there that Writ Witness Robert Goldsborough Junior Esquire one of the Judges of our said Court the 18th day of April Anno Domini 1785. Issued the 14th day of April 1785. Test. James Earle Clk.
And now here to wit the second Tuesday of September Seventeen hundred and Eighty five cometh the aforesaid Margaret Fassitt Executrix of David Fassitt by Luther Martin her Attorney And the Justices and Sheriff of Worcester County aforesaid make the return of the Writ aforesd and the Record and Proceedings thereon had thereto Annexed in manner and form following to wit. In the Records and Proceedings of Worcester County Court among other matters and Things it is contained as follows Viz. Worcester County ss. At a Court of the State of Maryland held at Snow Hill Town in and for the County aforesaid the first Tuesday of March to wit the first day of the same Month in the year of our Lord one thousand seven hundred and eighty five by the same States Justices the Peace in and for the County aforesaid to keep assigned of whom were Present The Worshipful John Selby, Nehemiah Holland, Joseph Dashiell, Josiah Mitchell, William Stevenson, Phillip Quinton, Isaac Layfield, Peter Chaille, Ebenezer Handy, Joshua Townsend, John Pettly, James Selby, Esquires the States Justices, James Martin Sheriff Jam. R. Morris Clk. William Tharp vs Margaret Fassitt Exx. of David Fassitt. Command was given to the Sheriff of Worcester County that he should take Margaret Fassitt late of Worcester County Widow Executrix of the last Will and Testament of David Fassitt Deceased if she should be found in his Bailiwick and her should safe keep so that he might have her Body before the Justices of the County Court of Worcester at a Court by them to be held at Snow Hill Town in and for the County aforesaid the first Tuesday of March in the year of our Lord Seventeen hundred and Eighty five to answer unto William Tharpe of a Plea that she render

unto him the Sum of one thousand and thirty Pounds and eight pence Current Money of Pensylvania of the value of one thousand and thirty Pounds and eight pence Current Money of Maryland which from him she unjustly detains &c. And the same day is given to the aforesaid William Tharp there and so forth. And the said William Tharp complains of the aforesaid Margaret Fassitt of the plea aforesaid in manner and form following to wit. Worcester to wit. Margaret Fassitt late of Worcester County Widow Executrix of the last Will and Testament of David Fassitt deceased was Summoned to answer unto William Tharp of a plea that she render unto him the Sum of one thousand and thirty Pounds and eight pence Current Money of Pensylvania of the value of one thousand and Thirty Pounds and Eight pence Current Money of Maryland which from him she unjustly detains &c. And Whereupon the said William by William Polk his Attorney says that whereas the said David in his Lifetime to wit on the twenty fifth day of August in the year of our Lord one thousand seven hundred and seventy five at the County aforesaid by his certain Bill obligatory which the said William Tharp with the Seal of the said David sealed here in Court produces the date whereof is the day and year aforesaid acknowledged himself to owe and be Indebted and Promised and obliged himself to pay to the said William Tharp the just Sum of five hundred and fifteen Pounds and four pence Current Money of the Province of Pensylvania to be paid unto the said William Tharp with legal Interest from the Date to him his heirs Executors Administrators or Assigns at or upon the first day of October next ensuing the Date of the said Bill for the true payment whereof the said David Fassitt bound himself his heirs Executors and Administrators and Assigns in the Penal Sum of one thousand and Thirty Pounds and eight pence Current Money aforesaid firmly by the said Bill and the said William Tharp in fact saith that the said David although required in his Lifetime to wit on the aforesaid first day of October did not pay to the said William the aforesaid Sum of five hundred and fifteen Pounds and four pence Current Money aforesaid which to him on that day he ought to have paid according to the Tenor and Effect of the said Bill by means whereof action hath accrued to the said William Tharp to demand and have of the said David Fassitt or his Executors the aforesaid Sum of one thousand and Thirty Pounds and eight pence Current Money aforesaid of the Value aforesaid according to the force form and Effect of the said Bill obligatory. Nevertheless the said David although often required in his Lifetime after the aforesaid first day of October And the said Margaret although often required since the Death of the said David have not nor hath either of them rendered or paid the said one thousand and thirty Pounds and Eight Pence to the said William Tharp but the same to him to render or pay the said David in his Lifetime and the said Margaret since his Death hitherto altogether have denied and the same to render or pay the said Margaret still doth deny and the same doth unjustly detain Whereupon the said William Tharp says that he hath damage to the value of Eleven hundred Pounds Current Money of Maryland and thereof he brings Suit &c.
William Polk for the Plaintiff. Pledges of Pros. J. John Doe & Rich. Roe.
Oyer of the Bill obligatory mentioned in the Declaration moves in these Words to wit. This Bill bindeth me David Fassitt of Worcester County Maryland unto William Tharp of Philad. in the just sum of five hundred and fifteen Pounds and four pence Current Money of the Province of Pensylvania to be paid unto William Tharp with legal Interest from the date to him his heirs Executors Administrators or Assigns at or upon the first day of October next for the true payment whereof I bind me my heirs Executors and Administrators and Assigns in the Penal Sum of one thousand and thirty Pounds and Eight pence Current Money aforesaid and further I do hereby impower any Attorney in any of his Majesty's Courts of Record to appear for me and after one or more Declarations filed for the above Penalty thereupon to acknowledge Judgment or Judgments as of any Term or Time after the date hereof with Stay of Execution until the said first day of October next Witness my hand and Seal this twenty fifth day of August Anno Domini 1775. David Fassitt (Seal) Sealed and Delivered in the Presence of Sam. Smyly. A Copy of the foregoing Declaration and Bill was made and sent to be Served on the Defendant in order for Speedy Trial &c. At which said first Tuesday of March in the year