# September Term 1787.

Thomas and Samuel Fisher against Solomon Clayton.

Be it remembered, that on the sixth day of March, seventeen hundred and eighty six, Command was given to the Sheriff of Queen Anns County, that he should take Solomon Clayton late of Queen Anns County, Gentleman if he should be found in his Bailiwick, and him should safe keep, so that he might have his Body before the Judges of the General Court, at the next Court to be held for the Eastern Shore of this State at Talbot County Court House the second Tuesday of April next, to answer unto Thomas Fisher and Samuel Fisher, of a plea that he render unto them the sum of One thousand four hundred and ninety two pounds current money of Pennsylvania of the value of the same sum current money of Maryland, which from them he unjustly detains and &c. — And that thereof he should not fail at his Peril and that he should have then and there that writ, &c.

At which said second Tuesday of April, seventeen hundred and eighty six, being the day of the return of the aforegoing writ, came the said Thomas and Samuel Fisher by their Attorney aforesaid, and the Sheriff of Queen Anns County to whom the same writ was directed, likewise came and made return thereof to the Court here, thus endorsed, to wit: "Cepi Corpus. James Bryon Shff." — Thereupon further process of and upon the premises aft., between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, and by order of the Court here thereon was further continued until the second Tuesday in September then next following.

At which said second Tuesday of September, seventeen hundred and eighty six; here came again as well the said Thomas and Samuel Fisher as the said Solomon Clayton, by their Attorneys aforesaid, and the said Thomas and Samuel Fisher by their said Attorney affiled their Declaration, in the plea aft.,



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against the said Solomon Clayton, in manner and form following, to wit:

Queen Anns County, to wit: Solomon Clayton late of Queen Anns County, Gentleman, was summoned to answer unto Thomas Fisher and Samuel Fisher of a plea that he render unto them One thousand four hundred and ninety two pounds current money of Pennsylvania of the value of the same sum current money of Maryland which from them he unjustly detains and &c.

And whereupon the said Thomas Fisher and Samuel Fisher by William Tilghman their Attorney say, that whereas a certain Edward Clayton, Deceased, father of a certain Edward Clayton his son and heir deceased (of which said Edward the son, the aft. Solomon Clayton is brother & heir) in his life time, to wit, on the thirteenth day of July in the year of our Lord one thousand seven hundred & seventy at the County aforesaid by his certain writing Obligatory with the seal of him the said Edward Clayton the father in his life time sealed, & to the Court here shewn the date whereof is on the same day and year aforesaid acknowledged himself to be held and firmly bound unto the said Thomas Fisher and Samuel Fisher & a certain Joshua Fisher, deceased, whom they have survived in the aforesaid sum of One thousand four hundred and ninety two pounds current money of Pennsylvania, of the value of the same sum current money of Maryland to be paid to the said Thomas Samuel & Joshua, when he the said Edward the Father should be thereto afterwards, & to the said payment well and truly to be made the said Edward the father bound himself & his heirs by the said writing; Nevertheless the aforesaid Edward the father in his life time, & the aforesaid Edward his son and heir in his life time, and after the death of his said Father, & the aforesaid Solomon brother & heir of the said Edward the son, since the death of his said Brother, altho' often required the sum of One thousand four hundred and ninety two pounds current money of Pennsylvania aforesaid, or the value of current money of Maryland aforesaid to the said Thomas, Samuel & Joshua, during the life of the said Joshua or to the said Thomas & Samuel since the death of the said Joshua or to either of them, have not nor hath either of them paid but the same to