April Term 1789

John Benson use of John Stoops
@
Richard Savin

Be it remembered that on the thirteenth day of March Anno Dom: seventeen hundred and eighty eight, command was given to the Sheriff of Cecil County to take Richard Savin late of Cecil County, and State of Maryland if he should be found in his Bailiwick and him safe keep so as to have his body before the judges of the General 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 John Benson in a plea that he render unto him the full and just sum of three hundred and fifteen pounds current money of Maryland, which to him he owes and unjustly detains and so forth. Thereof not to fail at his peril, and that he should have then and there that writ &c.

At which day, to wit, the second Tuesday in April in the year seventeen hundred and eighty eight, being the day of the return of the aforegoing writ, came the said John Benson by Samuel Earle his Attorney, and the Sheriff of Cecil County to whom the same was directed, likewise came and made return thereof to the Court here, "that he had taken the said Richd Savin and the same had ready according to the Exigence of the same writ."

And the said John Benson by his Attorney afd came here into Court and there upon the said Richard Savin at the prayer of the said John Benson was ruled to give special-Bail in the plea afd. Whereupon the said Richard Savin by his Attorney afd Miliard Fitzhugh files in Court here the following bail-piece, to wit:

John Benson Plff.
for the use of John Stoops
@
Richard Savin

Now James Cowarden and Benjamin Benson do jointly and severally acknowledge yourselves Special bail for the said Richard Savin at the suit of the said John Benson in an action of Debt brought by the said John Benson

against s^d Richard Savin in the General Court. They acknowledge themselves to be content therewith this 27th day of March 1788. before James Sout^th. John Miller
To the Honble the judges of the General Court.

And thereupon further process of and upon the premises afd between the parties afd by consent of the said Parties and their Attorneys and by order of the Court here thereon was continued until the second Tuesday in September then next following; at which day, to wit, the said second Tuesday in September in the year afd here came again the parties afd by their aforementioned attorneys and the said John Benson by his Attorney afd filed in Court here his Declaration in the plea afores^d against the said Richard Savin in manner and form following, to wit,

Eastern Shore of Maryland
Cecil County, to wit:

Richard Savin late of Cecil County and State of Maryland was summoned to answer unto John Benson in a plea that he render unto him the full & just sum of three hundred and fifteen pounds current money of Maryland which to him he owes and unjustly detains and so forth.

And whereupon the afd John by Sam Earle his Attorney saith that whereas the afd Richard on the eighteenth day of february in the year seventeen hundred and eighty seven at the County afd by his certain writing Obligatory had granted himself to be held and to the same John in the afd sum of three hundred and fifteen pounds Gold or Silver specie which sum of three hundred & fifteen pounds gold or Silver specie at the time of making the writing Obligatory afd was & ever since hath been & still is of the value of three hundred & fifteen pounds current money of Maryland, to wit, at the County afd to be paid to the said John when afterwards he should be thereto required. Nevertheless the afd Richard altho' often required the afd sum of three hundred & fifteen pounds gold or Silver specie or the value thereof to the same John hath not yet paid or rendered but the same to him to render or pay