when the said Elisha should be thereto afterwards required. Nevertheless the said Elisha tho' often required the said Sum of Money unto the said Elizabeth whilst she was sole or to the said Thomas and Elizabeth since their intermarriage or either of them hath not paid or them for the same in any wise contented but the same to them or either of them to pay hitherto hath refused and still doth refuse whereupon the said Thomas and Elizabeth say they are injured and have Damage to the value of one hundred pounds current Money of Maryland and therefore they bring suit &c.

J. Doe } Pledges of Pros.
R. Roe }

Wm. Hayward for the Pltff. —

The writing obligatory whereof mention is made in the Declaration aforesaid ensues in the following words and figures to wit. — "State of Maryland, to wit, Know all men by these presents that we Elisha Stewart and Charles Stewart both of Talbot County and State aforesd. Planters are held and firmly bound unto Elizabeth Warner of said County and State in the full and just sum of two hundred and one pound sixteen Shillings specie, to be paid to the said Elizabeth Warner her Heirs Executors Administrators or Assigns, to the payment whereof we bind ourselves our Heirs, Executors and Administrators jointly and severally for and in the whole, firmly by these presents Sealed with our Seals and Dated this Seventeenth day of January Anno Domini One thousand Seven hundred and eighty eight. The condition of the above obligation is such that if the above bound Elisha Stewart and Charles Stewart or either of their Heirs Executors Administrators or Assigns do and shall well and truly pay or cause to be paid unto the said Elizabeth Warner her certain Attorney, Heirs Executors Administrators or Assigns the just and full sum of One hundred pounds eighteen shillings with legal Interest for the same, at or upon the Seventeenth day of October next ensuing the date hereof then this obligation to be void else to remain in full force and virtue in Law. —

Elisha Stewart (Seal)
Charles Stewart (Seal)

Signed sealed & delivered in the presence of Rich. Harwood Thomas Morgan.

On the back of the aforesaid writing obligatory is the following Indorsement, viz. Talbot County to, I hereby oblige my self my Heirs and Assigns not to demand Interest on the whole of the within obligation, and I hereby certify that there is interest due only on forty pounds eighteen shillings of the within mentioned sum of one hundred pounds eighteen shillings untill after the first day of January next 1786. Witness my hand Elizabeth Warner. Test Rich. Harwood —

And the said Elisha Stewart by his Attorney aforesd. defended the force and injury when &c. and prayed the liberty of imparling thereof untill the Monday before the first Tuesday in November, then next following, and it was granted unto him, the same day was given to the said Thomas Morgan and Elizabeth his wife then &c. And now at this day to wit the said Monday before the first Tuesday in November in the year Seventeen hundred and eighty seven here came again as well the said Thomas Morgan and Elizabeth his wife as the said Elisha Stewart by their Attorneys aforesaid. And the said Elisha Stewart by his Attorney aforesaid produces to the Court here a writ of Habeas Corpus of the said State of Maryland to the Justices and Sheriff aforesaid directed the tenor whereof ensues in the following words and figures to wit — (The State of Maryland. To the Justices and Sheriff of Talbot County, Greeting. Whereas a certain Elisha Stewart late of Talbot County Planter, is detained in the prison of our said County under the Custody of you our said Sheriff, at the suit of Thomas Morgan and Elizabeth his wife of a plea that he render unto them two hundred and one pounds, sixteen shillings Specie current Money of Maryland which to them he owes and unjustly detains &c. which said plea as it is said still depends before you our said Justices undetermined, and we being willing for divers causes that the plea aforesaid undetermined as aforesaid shall be heard and determined before the Judges of our General Court. Therefore we command you that you have the body of the said Elisha Stewart 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 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, that the Judges of our said 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 Robert Hanson Harrison Esqr. Chief Judge of our said Court this twenty eighth day of September Anno Domini 1787. Issued the 7th day of Novr. 1787. (H.) James Earle Clk.) Which being read and heard the same is by the Court allowed, And it is ordered by the same Court that the cause of the Caption and Detention of the said Elisha Stewart together with the Record and Process aforesaid and all proceedings relating to the same be accordingly transmitted before the honourable the Judges of the General Court at their Court to be held for the Eastern Shore of the said State at Talbot County Court House on the second Tuesday of April next ensuing that the said Justices may further proceed therein as to justice appertains and so forth —

Benjn. Stevens Clk.