the said Damages Costs and Charges unto the said James Kennady should not pay or his body in Execution of such Judgment to the publick prison of Talbot County aforesaid by that occasion should not render. And thereupon day was given as well to the said James Kennady as to the said Benjamin Benny by the Court here untill the Monday before the first Tuesday in June then next following —

At which day to wit, the Monday before the first Tuesday in June came here again as well the said James Kennady as the said Benjamin Benny by their Attorneys aforesaid, and thereupon a further day was given as well to the said James Kennady as to the said Benjamin Benny by the Court here untill the Monday before the first Tuesday in November then next following. — And now here at this day to wit, the said Monday before the first Tuesday in November in the year of our Lord One thousand seven hundred and eighty seven came again as well the said James Kennady as the said Benjamin Benny by their Attorneys aforesaid and the said James Kennady by his Attorney aforesaid affirmed his Declaration in the plea aforesaid against the said Benjamin Benny in manner and form following to wit, Talbot County ss. Benjamin Benny late of Talbot County Planter was summoned to answer unto James Kennady of a plea that he render unto him the full and just sum of three hundred and sixty eight pounds lawful specie which to him he owes and unjustly detains and so forth — And whereupon the said James by William Hayward his Attorney saith that whereas the said Benjamin on the eleventh day of February in the year of our Lord, One thousand seven hundred and eighty five at Talbot County aforesaid together with a certain Thomas Spry Morgan which said Thomas Spry is since before the bringing this suit dead and whom the said Benjamin hath survived by his certain writing obligatory which the said James with the seals of the said Benjamin and Thomas Spry sealed, here unto court doth bring the date whereof is the same day and year aforesaid acknowledged themselves to be held and firmly bound unto the said James in the said Sum of three hundred and sixty eight pounds current money aforesaid to be paid to the said to the said James when they the said Benjamin and Thomas Spry should be thereto afterwards required Nevertheless the said Benjamin and Thomas Spry in the lifetime of the said Thomas Spry and the said Benjamin since the death of the said Thomas Spry tho' often required the said Sum of Money unto the said James have not paid nor hath either of them the same unto him but the same to him to pay the said Benjamin and Thomas Spry in the lifetime

of the said Thomas Spry refused and the same to him to pay the said Benjamin since the death of the said Thomas hitherto hath refused and still doth refuse whereupon the said James saith he is injured and hath damage to the value of one hundred pounds lawful money of Maryland and therefore he brings suit and so forth —

Mr. Hayward for the Plaintiff Ista doc & R. Roe Pledges of Prosq.

The writing obligatory whereof mention is made in the Declaration aforesaid issues in the following words and figures to wit, Know all men by these presents that we Benjamin Benny and Thomas Spry Morgan of the State of Maryland Talbot County are held and firmly bound unto James Kennady of Talbot County, Merchant in the full and just sum of three hundred and sixty eight pounds lawful specie, that is to say, half Johannes's of Portugal at three pounds each, and Spanish Milled Dollars at seven shilling and six pence each, to be paid unto the said James Kennady his certain Attorney, Executors, Administrators or Assigns: To the which payment well and truly to be made and done we bind ourselves our Heirs Executors and Administrators in the whole and for the whole firmly by these presents, Sealed with our Seals and dated the eleventh day of February Anno Domini Seventeen hundred and eighty five — The Condition of the above obligation is such that if the above bound Benjamin Benny and Thomas Spry Morgan do and shall well and truly pay or cause to be paid unto the Said James Kennady his Heirs Executors, Administrators or Assigns the full and just sum of One hundred and eighty four pounds like money as aforesaid, that is to say half Johannes's of Portugal at three pounds each and Spanish Milled Dollars at Seven Shillings and six pence each, on or before the first day of January Seventeen hundred and eighty six with Legal Interest for the same from the date hereof then the above obligation to be void; else to be and remain in full force and virtue in Law.

Signed Sealed & Delivered in the presence of James Tilghman Junr. John Kirby — Benjamin Benny (Seal) — Thomas Spry Morgan (Seal)

And the said Benjamin Benny 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 Benjamin Benny is detained in the prison of our said County under the (Seal) custody of you our said Sheriff at the suit of James Kennady of a plea that he