principal Sureties and Cert. Stay of execution on each Instalment as expressed in said Bond. The form intended for this Judgment is equally to the one used in folio 387 - - -

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Joseph Whiteley
against
James R. Stevens Admr. of Robertson Stevens, - - -

Be it remembered that on the second day of May anno Domini one thousand seven hundred and eighty nine, Summons was given to the Sheriff of Dorchester County, that he should take Robertson Stevens, late of Dorchester County Gentleman if in his Bailiwick he should be found and him safe keep so that he might have his body before the Judges of our General Court, to be held for the Eastern Shore of this State in Talbot County, at the Court house in the same County, on the second Tuesday of September then next to answer unto Joseph Whiteley of Caroline County of a plea that he render unto him the sum of two hundred and twenty four pounds Current money, which to him he owes and unjustly detains and so forth, and that he should have there and then this writ. At which said second Tuesday in September twelve in the year seventeen hundred and eighty nine being the day for the return of the aforegoing writ here came the said Joseph Whiteley by Gustavus Scott his attorney and John Eccleston Sheriff of the County aforesaid, to the Court here made return thereof to the Court here, thus endorsed to wit "Ciphi Inquisitum" do answer John Eccleston Sheriff." and the said Robertson Stevens being called upon appeared in Court here by Nicholas Hammond his attorney, whereupon the said Robertson Stevens by his said attorney offered in court here the following bail piece which here ensues as follows viz:

Joseph Whiteley Plaintiff
against
Robertson Stevens Defendant

You Patrick Brangham and Edward Arnold of Dorchester County, do jointly and severally acknowledge yourselves special bail for the said Robertson Stevens, at the suit of the said Joseph Whiteley, in an action of Debt brought by the said Joseph Whiteley against the said Robertson Stevens, in the General Court they acknowledge themselves the Content therewith this tenth day of September in the year seventeen hundred and Eighty nine, before the secretary being two of the Justices of the peace in and for the County of Dorchester.

To the Honorable the Judges of the General Court - - -

N. Lingoot
Dan Sullivane

I the subscriber do hereby put in my place and stead Mr Nicholas Hammond to appear for me in the within action at the suit of Joseph Whiteley and to defend the same until the end thereof as witness my hand.

R. Stevens

and the said Joseph Whiteley by his attorney aforesaid offered his declaration in the plea aforesaid against the said Robertson Stevens in manner and form following to wit, Dorchester County to wit, Robertson Stevens, late of Dorchester County Gentleman was summoned to answer unto Joseph Whiteley of a plea that he render unto him the sum of two hundred and twenty four pounds Current money which to him he owes and unjustly detains and so forth, And whereupon the same Joseph Whiteley by Gustavus Scott his attorney doth that the same Robertson Stevens on the thirteenth day of March in the year seventeen hundred and eighty six, at the County aforesaid by his certain writing Obligatory which the same Joseph Publ with the deed of the same Robertson Stevens, here into Court doth bring the date whereof is the same day and year aforesaid granted and acknowledged himself to be held and firmly bound unto the aforesaid Joseph in the aforesaid sum of two hundred and twenty four pounds Current money of Maryland, to be paid to the said Joseph whenever the same Robertson should be thereto required, Nevertheless the said Robertson the thereto often required, the aforesaid sum of money, or any part thereof, unto the same Joseph yet hath not rendered or paid, but the same to render or pay he hitherto altogether hath refused and still doth refuse to the damage of the said Joseph four hundred pounds Current money of Maryland whereupon he brings suit &c.

Gustavus Scott for the Pltff. } Joseph Nicols
Richard Roe

The writing Obligatory aforesaid mentioned is made in the aforegoing Declaration in the words and figures following to wit,

Know all men by these presents that we Robertson Stevens, and John Stevens of Dorchester County and State of Maryland Gentlemen are held and firmly bound unto Joseph Whiteley of Caroline County and State aforesaid, Administrator, with the will annexed of William Wilson, deceased, in the full and just sum of two hundred and twenty four pounds Current money of Maryland, to be paid to the same Joseph Whiteley or his certain attorney his executors, Administrators or assigns, to which payment well and truly to be made and done we bind ourselves our heirs, Executors, and Administrators jointly and severally firmly by these presents Sealed with our seals and dated this thirteenth day of March in the year seventeen hundred eighty six. The condition of the above Obligation is such, that if the above bounden Robertson Stevens, his heirs, Executors or Administrators do and shall well and truly pay, or cause to be paid, unto the aforesaid Joseph Whiteley, his Executors administrators or assigns the full and just sum of one hundred and twelve pounds Current money of Maryland, with legal Interest for the same from the date hereof, then the above Obligation to be void; otherwise to be and remain in full force and virtue in law.

Signed sealed and Delivered in presence of
Gust. Scott

R. Stevens (Seal)
Jno. Stevens (Seal)

and the said Joseph Whiteley by his attorney aforesaid prayed that the said Robertson Stevens might be held to file his plea in answer to the Declaration of him the said Joseph Whiteley on or before the second Tuesday in April then next or that Judgment on Default thereof against the said Robertson Stevens might be rendered, and it was granted unto him, the same day was given to the said Joseph Whiteley then &c. At which said second Tuesday in April twelve in the year seventeen hundred & ninety, came here again the parties aforesaid by their said attorneys, and the said Robertson Stevens by his attorney aforesaid filed his plea in answer to the Declaration aforesaid which here ensues viz:

Robertson Stevens
vs.
Joseph Whiteley.

Debt, Nil and Non. And the said Robertson Stevens by Nicholas Hammond his attorney comes and defends the wrong and injury when &c and prays a hearing of the writing Obligatory aforesaid and it is read to him in the words. He likewise prays a hearing of the Condition of the said writing Obligatory and it is read to him in the words which being read and heard the said Robertson Stevens saith that the said Joseph Whiteley ought not to have or maintain his action aforesaid thereof against him, because he saith that after the making of the said writing Obligatory and before the impetration of the Original writ of him the said Joseph Whiteley in this Cause, to wit, on the tenth day of May in the year seventeen hundred and eighty eight, at Dorchester County aforesaid he the said Robertson did pay to the said Joseph the sum of money in the said Condition mentioned, according to the form of the Statute in such Case made and provided, together with all the interest then due thereon, and this the said Robertson is ready to verify, wherefore he prays Judgment whether the same Joseph his action aforesaid thereof against him to have or maintain ought &c.

N. Hammond for Deft.

Thereupon further process of and upon the premises aforesaid to come the parties aforesaid by agreement of the said parties and their attorneys aforesaid, and by order of court here, thereon was further continued until the second Tuesday in September then next following. At which said second Tuesday in September term, in the year seventeen hundred and ninety. Came the said Joseph Whiteley, by his attorney aforesaid; and said that the aforesaid Robertson Stevens was dead, and that he died since the last Continuance to wit on the day of in the year seventeen hundred and ninety. And that Administration of all and singular the goods and Chattels, rights and credits which were of the said Robertson Stevens, was granted unto a certain James Rule Stevens, whereupon the said Joseph Whiteley by his said attorney prays the court to direct a summons to issue for the said James Rule Stevens Administrator as aforesaid Commanding him to be and appear at the next General Court; and it was granted unto him. Thereupon Command was given to the Sheriff of Dorchester County on the tenth day of November seventeen hundred and ninety that he should summon James Rule Stevens acting Administrator of Robertson Stevens late of Dorchester County deceased, that all delays and excuses set aside he be and appear before the Judges of our General Court to be held for the Eastern Shore of this State at Easton in Talbot County the second Tuesday of April then next; and then and there to do what of Justice and according to the Laws of this State in such Cases made and provided Cause himself to be made a party in a certain action of Debt then depending in our said General Court, wherein a certain Joseph Whiteley was plaintiff and the said Robertson Stevens