unto him the said Thomas, the said sum of four hundred and thirty six pounds twelve shillings current money in the said Condition mentioned, according to the form and effect of the said Condition, in manner and form as the said Levin above in pleading hath alledged, and this he prays may be enquired of by the Country; and the said Levin in like manner &c. Whereupon this Cause standing ready for Trial, further precept of and upon the premises aforesaid, 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 of September then next following — At which said second Tuesday of September seventeen hundred and ninety, come again the parties aforesaid, by their Attorneys aforesaid, and the said Levin by his Attorney aforesaid relinquishing the Avoirment above by him pretended, saith that he cannot gainsay the Action aforesaid of him the said Thomas; nor can he deny but that the writing obligatory aforesaid, is the Deed of him the said Levin, nor but that he ower unto the said Thomas, the said sum of eight hundred and seventy three pounds four shillings Current money in manner and form as the said Thomas above against him hath complained; therefore it is considered by the Court here, that the said Thomas do recover against the said Levin his Debt aforesaid, in form aforesaid acknowledged, as also the Quantity of six hundred and twenty eight and one fifth pounds of Tobacco, as well for his Damages which he hath sustained by occasion of the detention of that Debt, as for his Costs and Charges by him about his suit in this behalf expended unto the same Thomas by the Court here with his Assent adjudged &c. and the said Levin in Mercy &c.

James Earle Clk.

Judgment was confessed in this Action on the sixteenth day of September seventeen hundred and ninety for Penalty and Costs; Penalty to be released on Payment of Principal, Interest and Costs; Stay of Execution till the tenth day of February seventeen hundred and ninety one —

Thomas Handy jun. vs Samuel Smith

Be it remembered that on the twenty seventh day of March seventeen hundred and eighty nine, Command was given to the Sheriff of Somerset County, that he should take Samuel Smith late of Somerset County planter, if he should be found in his Bailiwick, and him safe keep, so that he might have his body before the Judges of the General Court, to be held for the Eastern Shore of this State, in Talbot County, at the Court house in the same County, the second Tuesday of April next, to answer unto Thomas Handy junior of a plea, that he render unto him the sum of eight hundred and seventy three pounds four shillings Specie current money of Maryland, which to him he ower and unjustly detains and

so forth, and that thereof he the said Sheriff should not fail at his peril, and that he should have then and there that Writ and so forth — At which said second Tuesday of April seventeen hundred and eighty nine, being the day of the return of the aforegoing Writ, came the said Thomas by Gustavus Scott his Attorney, and the Sheriff of Somerset County to whom the same Writ was directed, likewise came and made return thereof to the Court here thus endorsed, to wit: "Non Est" Jn: Leatherbury Shff. And the said Samuel Smith by William Hayward his Attorney, came here into Court: Thereupon further precept of and upon the premises aforesaid, 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 of September then next following — At which said second Tuesday of September seventeen hundred and eighty nine, came again the parties aforesaid by their Attorneys aforesaid; and the said Thomas by his Attorney aforesaid filed his Declaration in the plea aforesaid, against the said Samuel in manner and form following, to wit: Somerset County, to wit: Samuel Smith late of Somerset County Planter, was summoned to answer unto Thomas Handy junior of a plea that he render unto him the sum of eight hundred and seventy three pounds four shillings Specie current money of Maryland, which to him he ower and unjustly detains and so forth — And whereupon the same Thomas Handy by Gustavus Scott his Attorney saith that the same Samuel Smith on the sixteenth day of June in the year seventeen hundred and eighty seven at the County aforesaid, by his certain writing obligatory, which the same Thomas sealed with the seal of the same Samuel, 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 Thomas in the aforesaid sum of eight hundred and seventy three pounds four shillings Specie current money of Maryland, to be paid to the same Thomas when afterwards he the same Samuel should be thereto required: Nevertheless the same Samuel the thereto often required, the aforesaid sum of money or any part thereof unto the same Thomas 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 same Thomas one thousand pounds current money of Maryland, whereupon he brings suit &c.

Gust. Scott for the Plff — Pledges &c John Doe, Rich. Roe.

The writing obligatory whereof mention is made in the Declaration aforesaid, manner in the words following, to wit: Maryland Somerset County: Know all men by these presents, that we Levin Miles, Samuel Wilson senr. and Samuel Smyth of the County and State aforesaid, are held and jointly bound unto Thomas Handy junior of the same place, in the full and and just sum of eight hundred and seventy three pounds four shillings Specie Currency of Maryland, to be paid unto the said