September Term 1790.

Russell the aforesaid sum of current money to him the said Joseph Donald-
son when afterwards they should be thereunto required would well and
truly content and pay - Nevertheless the aforesaid Daniel Shrodine and
Thomas Russell in the lifetime of the said Thomas Russell: and the said Dani-
el Shrodine since the decease of the said Thomas Russell their respective pro-
mises and assumptions aforesaid, so as aforesaid made not regarding, but
minding and fraudulently intending him the said Joseph Donaldson in this
behalf craftily and subtilly to deceive and defraud the aforesaid sum of two
hundred and eighty one pounds four shillings and two pence current
money or any part thereof to the said Joseph Donaldson have not,
nor hath either of them paid all the afore thereunto requested; but the same
sum of current money or any part thereof to content or pay the said
Daniel Shrodine and Thomas Russell now deceased and whom the said
Daniel Shrodine has survived, in the lifetime of the Thomas Russell and
the said Daniel Shrodine since the decease of the said Thomas have and
each of them hath hitherto altogether refused and the said Daniel Shro-
dine still doth refuse, to the Damage of him the said Joseph Donaldson
in the sum of four hundred pounds current money, and therefore he
brings suit &c.

Mr. Cooke ats. pltff. - pledges &c. John Doe and Richard Roe.

Thereupon further process of and upon the promises 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 April then next following - At which said second Tuesday of
April seventeen hundred and ninety, came again the parties aforesaid
by their Attorneys aforesaid; Thereupon further process of and upon the pre-
mises aforesaid, between the parties aforesaid, by consent of the said parties,

September Term 1790.

and their Attorneys aforesaid and by order of the Court here, thereon was further
continued until the second Tuesday of September then next following - And now
here at this day, to wit, the second Tuesday of September, seventeen hundred and
ninety, come again the parties aforesaid, by their Attorneys aforesaid: and the said
Daniel by his Attorney aforesaid, defends the force and injury when &c. &c. forth,
and saith that he cannot gainsay the the Action aforesaid of the said Joseph, nor
but that he owes unto the said Joseph the said sum of four hundred pounds
current money in manner and form as the said Joseph above against him
hath complained: Therefore it is considered by the Court here, that the said
Joseph do recover against the said Daniel his Debt aforesaid in form aforesaid
acknowledged: as also the Quantity of five hundred and eleven and four
fifths 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 Joseph Donaldson
by the Court here with his assent adjudged &c. and the said Daniel Shro-
dine in mercy &c. and so forth - James Earle Clk.

Judgment was confessed in this Action on the seventeenth day of September se-
venteen hundred and ninety for four hundred pounds current money; to be
released on payment of two hundred and eighty one pounds four shillings
and two pence current money with Interest thereon from the first day of
March seventeen hundred and eighty eight till paid and Costs - Stay of Exec-
ution till April Term then next following -

Robert Lyon, use of Robert Gilchrist } Memorandum, the Defendant by
a } Tunbull Wright his Attorney on the se-
George Hamilton & Thomas Patten } cond day of May seventeen hundred and
eighty nine, paid out the State of Maryland a Writ of Habeas Corpus, the tenor