and eighty nine, came into the General Court here as well the said Robert by his Attorney aforesaid, as the said George and Thomas by their Attorney aforesaid aforesaid; and the said Robert by his Attorney aforesaid prayed that a rule of Court might be made for the said George and Thomas to file their plea and answer to the Declaration aforesaid of him the said Robert by the second Tuesday of April then next following, and it was granted unto him: Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties, and their Attorneys aforesaid 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: and it was said to the said George and Thomas that they should answer to the Declaration aforesaid of the said Robert by the second Tuesday of September then next following: and it was further said to the said George and Thomas that if they should not answer to the Declaration aforesaid by the day aforesaid, Judgment should be rendered against them by default: the same day was given to the said Robert there and so forth— And now here at this day, to wit, the second Tuesday of September seventeen hundred and ninety, comes the said Robert by his Attorney aforesaid, and the said George and Thomas the solemnly called come not, nor say any thing in bar or preclusion of the Action aforesaid of him the said Robert, but therein do make default, whereby the said Robert remains against them undefended: Therefore it is considered by the Court here, that the said Robert do recover against the said George and Thomas his Debt aforesaid in form aforesaid acknowledged; as also the Quantity of eight hundred and fifty nine 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 said Robert Lyon by the Court here with his Assent adjudged &c. and the said George Hamilton and Thomas Patton in mercy &c.

James Earle Clk.

Judgment was confessed in this Action on the seventeenth day of September seventeen hundred and ninety for Penalty and Costs: Penalty to be released on payment of Principal, Interest and Costs: payments if any to be allowed— Stay of Execution till April Term then next following—

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Balthar Michael
vs
Daniel Charles Heath

Memorandum; the Defendant in this Cause by Turbutt Wright his Attorney, sued out the State of Maryland's Writ of Habeas Corpus, the tenor whereof ensues in the words and figures following, to wit: The State of Maryland, &c. To the Justices and Sheriff of Cecil County, greeting— Whereas a certain Daniel Charles Heath is detained in the prison of our said County, under the custody of you our said Sheriff at the suit of a certain Balthar Michael of a plea of Debt, 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, should be heard and determined before the Judges of our General Court: therefore we command you that you have the body of the said Daniel Charles Heath 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 our 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 September next, that our said Judges of our said General Court, may further proceed therein, as to Justice appertains and so forth— Hereof fail not at your peril, and have you then and there