and nimoly, come the said Thomas and Moses by their Attorney aforesaid; and the said John the solemnly called, comes not, nor saith any thing in bar or preclusion of the Action aforesaid of them, the said Thomas and Moses, but therein doth make default; whereby the said Thomas and Moses remain against the said John undefended: Therefore it is considered by the Court here, that the said Thomas and Moses do recover against the said John their Debt aforesaid in form aforesaid acknowledged: as also the Quantity of eight hundred and thirty and one fifth pounds of Tobacco, as well for their Damages which they have sustained by occasion of the detention of that Debt, as for their Costs and Charges by them about their suit in this behalf expended, unto the said Thomas and Moses (Minshall by the Court here with their Consent adjudged &c: and the said John Knight in mercy &c.

James Earle Clk.

Judgement was confessed in this Action on the twenty fourth 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.

John and James Boyer, sons of Abraham Kirkpatrick

vs

Jeffa Foster

Memorandum, the Defendant in this Cause by William Barroll 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, Sc. To the Justices and Sheriff of Cecil County, Greeting. Whereas a certain Jeffa Foster is detained in the prison of our said County, under the custody of you our said Sheriff, at the suit of a certain John Boyer and James Boyer of a plea of Debt and so forth: 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 Jeffa Foster 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 this Writ. Witness the Honorable Robert Hanson Harrison, Esquire, Chief Judge of our said Court, this 6th day of May Anno Domini 1789.

Issued the 19th day of May Anno Domini 1789.

WD.

James Earle Clk.

At which said second Tuesday of September seventeen hundred and eighty nine, being the day of the return of the aforegoing Writ, the Justices and Sheriff in compliance with the same Writ, made return thereof to the Court here with the following Record annexed, to wit: Cecil County, to wit: At a County Court of the State of Maryland, held in and for Cecil County, at the Court house in the same County, on the Monday before the second Tuesday of June, being the eighth day of the same month, and in the year of our Lord seventeen hundred and eighty nine by and before the Justices of our said Court and the Officers thereunto duly and legally assigned, commissioned and sworn and so forth. Present, The Worshipful Joseph Gilpin, Stephen Hyland, Samuel Glover, Samuel Miller, Elihu Hall, Peter Lawson, Jeremiah Baker, Nathaniel Ramsey, Michael Wallace, Richard Bond, Tobias Ridenlp,