Jeremiah Warder, Jeremiah Parker and Richard Parker ought to have or maintain their said Action thereof against him — Nevertheless the said Henry by his Attorney afor.d relinquishing the Avrriment above by him pretended, saith that he cannot gainsay the Action afor.d of the said Warder, Parker & Co. nor can he deny but that the writing obligatory afor.d is the Deed of him the said Henry, nor but that he owes unto the said Warder, Parker & Co. the said sum of one thousand seven hundred and seventy five pounds current money in manner and form as the said Warder, Parker & Co. above against him have complained: Therefore it is considered by the Court here, that the said Warder, Parker & Co. do recover against the said Henry, their Debt afor.d in form afor.d acknowledged: as also the Quantity of six hundred and twelve pounds and three fifths pounds of Tobacco, as well for their Damages which they have sustained, by occasion of the detention of that Debt, as for their Cost and Charges by them about their suit in this behalf expended, unto the said Warder, Parker & Co. by the Court here with their Assent adjudged, and the said Henry Lower in mercy and so forth —

James Kerr Clk.

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

John Merryman } Be it remembered that on the fifteenth day of June in
a } the year seventeen hundred and eighty nine, Com-
John Evans } mand was given to the Sheriff of Somerset County, that he

should take John Evans late of Somerset County Merchant, otherwise called John Evans of John of Somerset County and State of Maryland Merchant, if he should be found in his Bailiwick, 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, the second Monday of September then next following, to answer unto John Merryman of a plea, that he render unto him the sum of four hundred and eighty

nine pounds eleven shillings and four pence current money, which to the said John Merryman he the said John Evans owes 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 &c. And the said John Merryman by William Cooke his Attorney declared against the said John Evans in manner and form following, viz.t

Eastern Shore, State of Maryland } John Evans late of Somerset County Merchant, otherwise called John Evans of John
Somerset County, to wit } of Somerset County and State of Maryland Merchant, was summoned to answer unto John Merryman of a plea that he render unto him the sum of four hundred and eighty nine pounds eleven shillings and four pence current money, which to the said John Merryman he the said John Evans owes and unjustly detains &c. And whereupon the said John Merryman by William Cooke his Attorney, complains that whereas the afor.d John Evans on the twenty seventh day of December in the year of our Lord seventeen hundred and eighty six at Somerset County afor.d by his certain writing obligatory, acknowledged himself to be held and firmly bound unto the said John Merryman in the afor.d sum of current money, to be paid to the said John Merryman when he the said John Evans should afterwards be thereunto required — Nevertheless the said John Evans (altho' often thereunto required) the afor.d sum of current money or any part thereof to the said John Merryman hath not contented or paid, but the said sum of current money or any part thereof to content or pay, he the said John Evans hath hitherto altogether refused, and still doth refuse, wherefore the said John Merryman saith he is the worse and hath Damage to the value of five hundred pounds current money, and therefore he brings suit &c. and brings here into Court the writing obligatory aforesaid, sealed with the seals of the said John Evans which the Debt afor.d in form afor.d Witnesseth the date whereof is the day and year aforesaid and so forth —

Mr. Cooke ff. Plff. Pledges &c. John Doe and Rich.d Roe —

The writing obligatory whereof mention is made in the Declaration afor.