April Term, 1793.

Sheriff of Cecil County Greeting: Whereas a certain Samuel Bayard late of Cecil County is detained in the prison of our said County under the Custody of you our said Sheriff, at the suit of a certain Penrgin Mercer of a plea that he render unto him three hundred and eleven pounds, ten shillings lawful money of Pennsylvania equal to three hundred and eleven pounds, ten shillings Current money of Maryland which to him he owes and unjustly detains, &c. — 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 afs undetermined as afs should be heard and determined before the ~~Justices~~ Judges of our General Court; therefore we command you that you have the body of the said Samuel Bayard by whatsoever name or names he may be called in the plea afs 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 Sunday in April next that our said Judges of our said General Court may further proceed therein as to Justice appertains and of fails — Hereof fail not at your peril and have you then and there this Writ — Witness the Honorable Robert Goldsborough Esquire a Judge of our said Court the 13th day of September Anno Domini 1791. — Issued the 30th day of December Anno Domini 1791.

Wm. James Earle Clk

It is thereupon ordered by the Court here, that the Record and proceedings with all things thereunto belonging be transmitted accordingly —

Test Joseph Baxter Clerk

In Testimony that the aforegoing is a true copy of the Record and proceedings, I have hereunto set my hand and affixed the seal of my Office this second day of April, Anno Domini seventeen hundred and ninety two. —

Seal

Jo. Baxter Cl. Ce. Coty Court —

And the said Penrgine Mercer came into our General Court here by

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William Tilghman his Attorney; and the said Samuel Bayard being called also appeared by William Barnes his Attorney; thereupon further process upon the premises between the said parties, by consent of the parties and their Attorneys and by order of the Court thereon was continued until the second Sunday in September then next following. — At which said day, to wit, the second Sunday of September in the year seventeen hundred and ninety two, came again the said parties by their Attornies afs; and the said Penrgine Mercer by his Attorney filed his Declaration in the plea afs against the said Samuel Bayard; which ensues as follows. —

Eastern Shore of Maryland, Cecil County &c. Thomas Shields and Samuel Bayard late of Cecil County were summoned to answer unto Penrgine Mercer of a plea that they render unto him the sum of three hundred and eleven pounds ten shillings lawful money of Pennsylvania of the value of three hundred & eleven pounds, ten shillings Current money of Maryland which from him they unjustly detain &c. saith. — And whereupon the said Penrgine Mercer by William Tilghman his Attorney saith that whereas the afs Thomas Shields and Samuel Bayard on the seventh day of March in the year of our Lord seventeen hundred and seventy five at the County afs by their certain writing obligatory had granted themselves to be held and firmly bound unto him the said Penrgine in the sum of three hundred and eleven pounds, ten shillings lawful money of Pennsylvania of the value of three hundred & eleven pounds ten shillings Current money of Maryland; to be paid to the said Penrgine when afterwards they should be thereto required. Nevertheless the afs Thomas & Samuel altho' often required the afs sum of three hundred and eleven pounds, ten shillings lawful money of Pennsylvania, or the sum of three hundred and eleven pounds, ten shillings Current money of Maryland, unto the said Penrgine yet have not paid, but the same to him to pay hitherto have refused & still do refuse to the damage of the said Penrgine five hundred pounds Current money of Maryland and therefore he brings Suit, &c. And doth bring here into Court the writing obligatory aforesaid, which the debt afs in form aforesaid