September Term 1796.

here the Parties aforesaid by their Attorneys aforesaid: Whereupon all and singular the premises being seen, and by the Judges of our said Court fully understood and mature deliberation thereon had: It is considered by the Court here, that the said Richard Sele and Elizabeth Sanford have Execution against the said Mrs. Medford Administrator as aforesaid, as well for the Debt and Costs aforesaid, in the Writ of Scire facias aforesaid mentioned, according to the form, force and effect of the recovery aforesaid as the Quantity of six hundred and seventy three pounds of Tobacco to the said Richard Sele and Elizabeth on their Agent by the Court here adjudged, for their Costs and Charges which they had sustained by reason of the delay of the Execution of the Judgment aforesaid, and the said William Medford Administrator as aforesaid in Mercy &c.— Test, James Earle Clk. Cur. Cts.—

Judgement was confessed in this action on the 28th day of September 1796. for Debt and Costs.— The released on payment of Costs of the Original Judgement which is lb. 6259. 7/6 and Costs of this Scifa.—

William Lowrey and Co: against Robert Dennis

Be it remembered that on the twelfth day of March in the year one thousand seven hundred and ninety five, Command was given to the Sheriff of Dorchester County that he should take Robert Dennis late of Dorchester County, farmer, 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 at Easton, in Talbot County the second Tuesday of April then next, to answer unto William Lowrey and Company (Baltimore) of a plea of Trespass on the case &c.— And that thereof he the said Sheriff was not to fail at his Peril, and that he should have then and there that Writ &c.— At which said second Tuesday in April in the year aforesaid, being the day for the return of the aforegoing Writ, came into our said Court here, the said William Lowrey plfs: by John Goldsborough their Attorney, and the Sheriff of Dorchester County to whom the said Writ was directed and delivered, also came here into Court and made return thereof thus endorsed, towit,— Cepi. So answers — Tho: Todd Sheriff—

And the said Robert Dennis being called appeared in Court here by Josiah Bayly his Attorney, and thereupon, on Motion of the said William Lowrey plfs: by their Attorney aforesaid, it is rule by the Court here, that the said Robert Dennis give special bail in the plea aforesaid, whereupon a certain Tubman Lowes of Somerset County, Gentleman, comes here into Court in his own proper person and becomes pledge and bail for the said Robert Dennis, that if it shall happen that the said Robert Dennis shall be convicted, at the suit of the said Plfs William Lowrey plfs: in the plea aforesaid, then the said Tubman Lowes consents that all such Damages, Costs and Charges as shall be adjudged unto the said William Lowrey plfs: in this behalf, shall be made of his body, Lands and Chattels, and levied to the use of the said William Lowrey plfs: if it shall happen that the said Robert Dennis shall not pay the said Damages, Costs and Charges, or render

September Term 1796.

himself to the Prison and Custody of the Sheriff of the County aforesaid, on that occasion — And the said Robert Dennis by his said Attorney, defends the force and injury, when &c. &c. prays leave of the Court here to imparle until the second Tuesday in September next; and he hath it, the same day is given to the said William Lowrey & Company then &c. And now here at this day, towit, the second Tuesday in September, in the year seventeen hundred and ninety five, came again into Court here the Parties aforesaid, by their Attorneys aforesaid. And the said William Lowrey & Co: by their said Attorney, declared against the said Robert Dennis in the plea aforesaid in manner & form following, towit.— Eastern Shore, State of Maryland, Dorchester County, towit, Robert Dennis late of Dorchester County, farmer, was Attached to answer unto William Lowrey & Company (Baltimore) of a plea of Trespass on the case &c.— And whereupon the said William Lowrey & James Abernethy by John Goldsborough their Attorney, complain that whereas the said Robert Dennis on the twenty second day of December in the year seventeen hundred and ninety two, at the County aforesaid, was indebted unto them in the full and just sum of three hundred and thirty one pounds nine shillings and ten pence Current money for divers Goods, Wares and Merchandizes by them the said William Lowrey & James Abernethy to the said Robert Dennis and at his special instance and request before that time sold and delivered, and being so indebted, he the said Robert Dennis in consideration thereof, afterwards, towit, the same day & year last aforesaid, at the County aforesaid, undertook and then & there faithfully promised them the said William Lowrey and James Abernethy to pay them the said sum of three hundred and thirty one pounds nine shillings and ten pence Current money, when he should be thereto afterwards requested. And whereas also the said Robert Dennis afterwards, towit, on the day and year aforesaid, at the County aforesaid, in consideration that the said William Lowrey and James Abernethy had before that time, at the like special instance and request of the said Robert Dennis sold and delivered to the said Robert divers other Goods, Wares & Merchandizes, took upon himself and then & there faithfully promised the said William Lowrey and James Abernethy that he the said Robert Dennis would well & truly pay and satisfy to the said William Lowrey and James Abernethy as much money as the last mentioned Goods, Wares & Merchandizes were reasonably worth at the time of the sale and delivery thereof when he should afterwards be thereto required, and the said William Lowrey and James Abernethy aver, that the Goods, Wares & Merchandizes aforesaid, last mentioned, were reasonably worth other three hundred and thirty one pounds nine shillings and ten pence Current money, at the time of the sale and delivery thereof, towit, at the County aforesaid, whereof the said Robert Dennis then and there had notice — Nevertheless the said Robert Dennis the several promises and Assumptions aforesaid also aforesaid made, not regarding but minding the said William Lowrey and James Abernethy in this part to defraud and deceive, the aforesaid several sums of money, or any part