April Term 1794.

Richard Moffitt, Ex'r of Joshua Vansant against Cornelius Vansant.

Be it remembered that the Defendant by his Attorney impetrated out of the General Court Office for the Eastern Shore of this State the said State's writ of Habeas Corpus, which issues in manner & form following, to wit: "The State of Maryland, To the Justices and Sheriff of Kent County, Greeting. Whereas a certain Cornelius Vansant late of Kent County, Planter is detained in the prison of our said County under the Custody of you our said Sheriff at the suit of a certain Richard Moffitt of a plea of Debt &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 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 Cornelius Vansant 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 April 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 Samuel Chase Esquire chief judge of our said Court the eleventh day of September Anno Domini 1792. Issued the 25th day of March Anno Domini 1793. James Earle jun. Clk."

At which said second Tuesday of April in the year Seventeen hundred & ninety three, being the day of the return of the aforesaid writ, the Justices and Sheriff of Kent County aforesaid, to whom the same writ was directed, in compliance therewith, made return thereof to the Court here, with the following record annexed, to wit: "The execution of the above writ appears by the following proceedings. The answer of James Tilghman Esq.r chief Justice of the second district and Samuel Chew and James Lloyd Esq.rs Associate Justices of Kent County Court and Philip Reed high Sheriff of Kent County. We James Tilghman, Samuel Chew & James Lloyd Justices as aforesaid and Philip Reed Sheriff to the hon.ble the Judges of the General Court for the Eastern Shore of the State of Maryland certify, that command was given to the Sheriff of Kent County on the fourth Monday of October Seventeen hundred and ninety one that he should take Cornelius Vansant late of Kent County Planter if he should be found in his bailiwick and him safe keep so that he might have his body before the Justices of our next County Court to be held at the Court house in the Town of Chester in said County on the third Monday of March next, to answer unto Richard Moffitt in a plea that he render unto him sixty five pounds current money of Maryland which to him he owes and unjustly detains &c. forsoth. At which said third Monday of March Seventeen hundred and ninety two came the aforesaid Richard Moffitt by William Tilghman his Attorney and the Sheriff of Kent County also came & made return of the writ aforesaid to the Court aforesaid thereon indorsed as follows, to wit: "Exp. Reed Shff." Thereupon Abraham Woodland of Kent County farmer in his proper person here into Court did come and became pledge and security for the aforesaid Cornelius Vansant, that if it should happen to the aforesaid Cornelius to be convicted in the plea aforesaid that then the same Security granted as well the Debt aforesaid as all the Damages Costs and Charges which to the same Richard Moffitt in the plea aforesaid should be adjudged of the Goods and Chattels Lands & Tenements of the said Abraham Woodland to be made, for the use of the said Richard, to be levied if the same Cornelius the Debt & Damages Costs and Charges of the same Richard in the plea aforesaid should not pay

or himself into the custody of the Sheriff of Kent County on that occasion render and the aforesaid Richard Moffitt by his Attorney aforesaid offered himself against the aforesaid Cornelius in the plea aforesaid and Complained thereof against him in the following words, to wit, Kent County, to wit, Cornelius Vansant late of Kent County Planter was summoned to answer unto Richard Moffitt in a plea that he render unto him the sum of sixty five pounds current money which to him he owes and unjustly detains &c. forsoth. And whereupon the said Richard Moffitt by William Tilghman his Attorney saith that whereas the aforesaid Cornelius Vansant on the twenty first day of June Seventeen hundred & ninety at Kent County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound in the aforesaid sum of sixty five pounds current money to be paid to the said Richard when afterwards he should be thereunto required. Nevertheless the aforesaid Cornelius although thereunto required the aforesaid sum of sixty five pounds current money to the said Richard hath not rendered or paid, but the same to him hitherto to render or pay he hath altogether refused and still doth refuse to the damage of the said Richard sixty five pounds current money of Maryland and therefore he brings suit &c. and so forth and he brings here into Court the writing Obligatory aforesaid sealed with the seal of the aforesaid Cornelius which the Debt aforesaid in form aforesaid witnesseth, the date whereof is on the same day & year &c. forsoth. —

Wm Tilghman for the Plff. Pledges &c. John Doe & Richard Roe —

Copy of the writing obligatory aforesaid here followeth. Know all men by these presents that we Cornelius Vansant & Benjamin Vansant both of Kent County in the State of Maryland Planters are held and firmly bound unto Richard Moffitt Senr. of the same place farmer in the just & full sum of Sixty five pounds current lawfull money of the State to be paid unto the said Richard Moffitt Senr his certain Attorney Heirs, Executors, Administrators or Assigns for the which payment well and truly to be made and done we do hereby bind ourselves and each of our Heirs Executors & Administrators each and every of them severally and jointly firmly by these presents sealed with our seals and dated this twenty first day of June Seventeen hundred & ninety 1790. The condition of the above obligation is such that if the above bounden Cornelius Vansant and Benjamin Vansant their Heirs, Executors or Administrators or either or any of them shall and will well and truly pay or cause to be paid unto the above named Richard Moffitt Senr his certain Attorney, Heirs, Executors, Administrators or Assigns, the just and full sum of thirty two pounds ten shillings on or before the first day of September which shall be in the year of our LORD, Seventeen hundred and ninety one, with lawfull interest thereon without fraud or further delay then the above obligation to be void of no effect but if otherwise to be and remain in full force & virtue in Law.

Sealed & delivered in the presence of Stephen Vansant, Moses Moffitt.

Cornelius Vansant. (Seal)
Benjamin Vansant. (Seal)

And the aforesaid Cornelius Vansant by William Bordley his Attorney comes and defends the force and injury, when and so forth and prayed liberty of imparling thereof here to the Action aforesaid until the fourth Monday of October next, and he had it the same day was given to the aforesaid Richard here and so forth, At which said fourth Monday of October Seventeen hundred and ninety two, came again the Parties aforesaid by their Attorneys aforesaid and the aforesaid Cornelius by his Attorney aforesaid further defends the force & injury, when and so forth and prayed further liberty of imparling to the action aforesaid until the third Monday of March next, and he had it the same day was given the aforesaid Cornelius here and so forth — At which said third Monday of March Seventeen hundred