Memorandum — Judgment was confessed in this action on the twelfth day of September 1798, for penalty and Costs — To be released on payment of the principal, Interest and Costs, with Stay of Execution until the next Term — Judgments, if any, the allowed —

Thomas Usher against Richard Hall

Be it remembered that on the twenty third day of August in the year of our Lord one thousand seven hundred and ninety seven Command was given to the Sheriff of Queen Anns County, to take Richard Hall late of Queen Anns County, 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 at Easton in Talbot County, on the second Tuesday of September then next, to answer unto Thomas Usher, of a plea that he render unto him, the sum of four hundred and four pounds, fourteen shillings and four pence Current money of Maryland, which to him he owes and unjustly detains &c — And that thereof he the said Sheriff should not fail at his peril, and should have then and there that writ &c — At which said second Tuesday of September in the year of our Lord one thousand seven hundred and ninety seven (being the day for the return of the aforesaid writ) came into Court the said Thomas Usher by Nicholas Hammond Esquire his Attorney, and the Sheriff of Queen Anns County, to whom the same writ was in form aforesaid likewise came, and made return thereof to our said Court this endorsed, to wit. — "Exp. Phil: C. Blake Shff" — And the said Richard Hall being called, appeared in Court by Richard T. Earle Esquire his Attorney — And thereupon, on motion of the said Thomas Usher by his Attorney aforesaid, it was ruled by the Court that the said Richard Hall should give special bail in the plea aforesaid — Whereupon a certain William H. Nicholson of Queen Anns County came into Court in his own proper person, and with the consent of the said Thomas Usher by his Attorney aforesaid became pledge and bail for the said Richard Hall that if it should happen that the said Richard Hall should be convicted at the suit of the said Thomas Usher in the plea aforesaid, then the said William H. Nicholson consented that as well the Debt aforesaid, as all such Damages, Costs and Charges as should be adjudged unto the said Thomas Usher in this behalf, should be made of his body Lands and Chattels, and levied to the use of the said Thomas Usher, if it should happen that the said Richard Hall should not pay the said Debt, Damages, Costs and Charges or render himself to the prison and Custody of the Sheriff of the County aforesaid on that occasion — And the said Richard Hall by his Attorney aforesaid defended the force and injury when &c — and prayed leave of the Court to imparle until the next Term and he had it; The same day was given to the said Thomas Usher then &c —

At which said next Term, to wit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight came again into Court the parties aforesaid by their Attorneys aforesaid; And the said Thomas Usher by his Attorney afo-

Declared against the said Richard Hall in the plea aforesaid in manner and form following, to wit — The Eastern Shore of Maryland, Queen Anns County, to wit — Richard Hall late of Queen Anns County, Merchant was summoned to answer unto Thomas Usher, of a plea that he render unto him the sum of four hundred and four pounds fourteen shillings and four pence Current money of Maryland, which to him he owes and unjustly detains &c — And whereupon the same Thomas Usher by Nicholas Hammond his Attorney saith, that whereas the said Richard Hall on the twenty second day of September in the year seventeen hundred and ninety five, at the County aforesaid, by his certain writing Obligatory, which sealed with the Seal of the said Richard Hall, the said Thomas Usher here into Court brings, the date whereof is the same day and year aforesaid, acknowledged himself, to be held and firmly bound to the said Thomas Usher in the aforesaid sum of four hundred and four pounds fourteen shillings and four pence Specie, that is to say Current money of Maryland, to be paid to the said Thomas Usher or his Assigns when he the said Richard Hall should be thereto afterwards required, To the payment whereof the said Richard Hall did bind himself, firmly by the same writing — Nevertheless the said Richard Hall (altho' often thereunto required) the sum of money aforesaid or any part thereof to the said Thomas Usher yet hath not paid, but the same to him to pay, hath hitherto altogether refused, and still doth refuse to the Damage of the said Thomas Usher, in the sum of three hundred pounds Current money: And thereupon he brings this suit &c — Over of the writing Obligatory, in the Declaration aforesaid mentioned, ensues, as follows, to wit — Know all men by these presents, that I Richard Hall of Queen Anns County in the State of Maryland, am held and firmly bound unto Thomas Usher, of Baltimore Town, in the State aforesaid, Merchant, in the full and just sum of four hundred and four pounds, fourteen shillings and four pence Specie, to be paid to the said Thomas Usher, or to his certain Attorney, Executors, Administrators or Assigns: To which payment well and truly to be made, and done, I bind myself my Heirs, Executors, and Administrators, each, and every of them firmly by these presents. Sealed with my Seal. dated the twenty second day of December in the year of our Lord one thousand seven hundred and ninety five — The Condition of the above Obligation is such, that if the above bounden Richard Hall, his Heirs, Executors, Administrators, or any of them, shall and do well and truly, or cause to be paid, unto the above mentioned Thomas Usher, or to his certain Attorney, Executors, Administrators or Assigns, the full and just sum of two hundred and two pounds seven shillings and two pence, Specie, without any fraud or delay — Then this Obligation to be void, and of none effect, or else to remain in full force and virtue in Law — Sealed and Delivered, in the presence of (Signed) M. McBlair, (Signed) Richard Hall — (Seal)

On the aforesaid writing Obligatory, is the following indorsement, to wit —

1797. July 29th Received of JonathanReady amount of his Note of 1st September last payable 25th December last in R. Ball's favour, and assigned by him to me for 288 Dollars — £108 — Thereupon, it was ruled by the Court at the prayer of the said Thomas Usher by his Attorney aforesaid that the said Richard Hall answer to the Declaration