Judgments.

answer to the Declaration aforesaid of them the said Baker and Comegys in the plea aforesaid — And the said William Hardcastle by his Attorney aforesaid further 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 Baker and Comegys, then, &c — And now here, at this day, to wit, the second Tuesday of September seventeen hundred and ninety eight, comes again into Court the parties aforesaid by their Attornies aforesaid, And the said William Hardcastle by his Attorney aforesaid further defends the force and injury, when &c, and prays a hearing of the Original Writ in the plea aforesaid; And it is read to him in these words (Here insert it) which being read and heard, the said William Hardcastle prays Judgment of the said Writ, because he saith, that the proper names and surnames of the said Baker and Comegys, are Jacob Baker and Cornelius Comegys, and by those names & Surnames they have always from the respective times of their nativity hitherto been named and called: without that, that they are named or called by the names of Baker and Comegys, or by those names alone were ever called or known, as by the aforesaid Writ of the said Baker and Comegys is above supposed, And this, the said William Hardcastle is ready to verify: Wherefore for want of proper names to the said Plaintiffs, the said William Hardcastle prays Judgment of the said Writ, And that the same may be quashed &c — Nevertheless the said William Hardcastle by his said Attorney relinquishing his Averment aforesaid by him above pretended says, that he cannot gainsay the action aforesaid of the said Baker and Comegys soon aforesaid against him brought, nor can he deny but that he owes to the said Baker and Comegys the sum of eight hundred and thirty seven pounds five shillings and ten pence Current money in manner and form as they the said Baker and Comegys above thereof against him have complained: Therefore it is considered by the Court here that the said Baker and Comegys recover against the said William Hardcastle as well the said sum of eight hundred and thirty seven pounds five shillings and ten pence Current money their Debt aforesaid in form aforesaid acknowledged, as also the quantity of six hundred and seventy three pounds of Tobacco for their Damages which they have sustained as well by occasion of the detention of that Debt, as for their Costs and Charges by them about their suit in this behalf laid out and expended — adjudged unto the said Baker and Comegys by the Court here with their Assent — And the said William Hardcastle in mercy &c — Test. James Earle Junr. Clerk —

Memorandum, Judgment was confessed in this action on the 19th day of

September Term 1798.

September 1798, for penalty and Costs — To be released on payment of the principal, Interest and Costs — Payments, if any, to be allowed — Stay of Execution until the next Term —

Jonathan Harvey
Rumford Dawes and
Abijah Dawes
against
Daniel Sweggett

Be it remembered that on the seventeenth day of July in the year of our Lord one thousand seven hundred and ninety seven, Command was given to the Sheriff of Caroline County, to take Daniel Sweggett late of Caroline County, yeoman, 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 holden at Easton in Talbot County on the second Tuesday of September then next, to answer unto Jonathan Harvey, Rumford Dawes and Abijah Dawes of a plea of Trespass upon the case &c — And that thereof he the said Sheriff should make full sufficient deliverance at his perils and should have 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 aforegoing Writ, came into Court the said Harvey and Dawes by Nicholas Hammond Esquire their Attorney, and the Sheriff of Caroline County, to whom the same Writ was, in form aforesaid directed, likewise came, and made return thereof to our said Court thus endorsed, to wit — "Cepi. Dekar Thompson Sheff" — And the said Daniel Sweggett being called, appeared in Court by Joshua Driver Esquire his Attorney, and thereupon, on motion of the said Harvey and Dawes by their Attorney aforesaid, it was ruled by the Court that the said Daniel Sweggett give special bail in the plea aforesaid. Whereupon, a certain James Sweggett of Caroline County, came into Court in his own proper person, and with the consent of the said Harvey and Dawes by their Attorney aforesaid, became pledge and bail for the said Daniel Sweggett, that if it should happen that the said Daniel Sweggett should be convicted at the suit of the said Harvey and Dawes in the plea aforesaid, then the said James Sweggett undertook, that all such Damages, Costs and Charges as should be adjudged unto the said Harvey and Dawes in this behalf should be made of his body, Lands and Chattels, and levied to the use of the said Harvey and Dawes, if it should happen that the said Daniel Sweggett the said Damages, Costs and Charges should not pay or his body to the prison and Custody of the Sheriff of the County aforesaid on this occasion should not render — And the said Daniel Sweggett 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 Harvey and Dawes, 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 Attornies aforesaid, And the said Harvey and Dawes by their Attorney aforesaid