Were had notice — Nevertheless, the same William, his several promises and Assumptions aforesaid, in form aforesaid made, not regarding, but contriving and fraudulently intending the same James, in this behalf, craftily and subtilly to deceive and defraud, the said several sums of money, or any part thereof, unto the same James yet hath not, nor hath he paid the same or any part thereof, to the same James, for the same, or any part thereof in any wise satisfied or contented, (although so to do, the same William, the same James, to wit, on the eleventh day of December in the year of our Lord one thousand seven hundred and ninety six, and often since that time at the County aforesaid, was required) but the said sum or sums of money, or any part thereof, to pay to the said James, hitherto altogether hath refused, and still doth refuse, to the Damage of the said James one hundred pounds Current money of Maryland, And thereupon he brings his Suit &c — Richard H. Earle for Pltff, John Roe and Richard Roe, pledges, &c.

And the aforesaid William Pearce, by Samuel Purnell his Attorney comes, and defends the force and injury when &c, and prays the liberty of imparling thereof until the first Monday of May then next following, and it was granted unto him; The same day was given to the said James Hunt there, &c — At which said day to wit, the first Monday of May in the year seventeen hundred and ninety eight, came here again the Parties by their Attornies aforesaid, when William Harper, bail and mainprisor for the said William Pearce in the plea aforesaid, surrendered the said William Pearce to the Court in discharge of himself as Bail and mainprisor as aforesaid, in the plea aforesaid — Whereupon the said James Hunt by his Attorney aforesaid prayed that the said William Pearce might be committed to the Custody of the Sheriff of Queen Anne's County, in the plea aforesaid, Whereupon, it was, by the Court ordered and adjudged that the Sheriff of Queen Anne's County take into his Custody the body of the said William Pearce in the plea aforesaid — At which said Court came Thomas Davis of Queen Anne's County Yeoman, and Joshua Owens of Queen Anne's County, Taylor, in their proper persons and became pledges and mainprisors for the aforesaid William Pearce, that if it shall happen that Judgment by the Court here for the aforesaid James Hunt in the plea aforesaid against the said William should be rendered, then the same Thomas and Joshua granted that as well the Debt aforesaid as all such Costs and Charges, which unto the aforesaid James in this part, should by the Court be adjudged, after Distress and Chattels should be made, and to the use of the said James levied, if it should happen that the said William, the said Debt, Damages, Costs and Charges should not pay, or his body in Execution of such Judgment, to the public prison of Queen Anne's County aforesaid, by that occasion should not render — Whereupon the Defendant, by his Attorney aforesaid comes, and defends the force and injury when &c, and produces here in Court, the State's writ of Habeas Corpus, which he prays may be allowed, and a Record transmitted agreeably to the Command thereof, which the Court, here pressed, after due consideration do allow and order up the Record of Proceedings accordingly — which said writ of Habeas Corpus was closed in the figures and words following, to wit — The State of Maryland: To the Chief Justice, and his Associates, Justices of Queen Anne's County Court, and to the Sheriff of Queen Anne's County Greeting: (Seal of the Prerogative Court) Whereas we are certain William Pearce is detained in the prison of your said County, at the Custody of you, our said Sheriff, at the suit of a certain James Hunt

of a plea of Trespass upon the case and so forth, which said plea, as it is said, still depends before you, our said Justices, undetermined as aforesaid, 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; We therefore Command you that you have the body of the said William Pearce 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, at Easton in Talbot County, the second Tuesday of September next, that the 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 Robert Goldsborough Esquire Chief Judge of our said Court, the 10th day of April 1798. — Witness the 11th day of May 1798. — L.P. James Adele Junr. Clerk —

Queen Anne's County, to wit, I hereby certify that the foregoing is a true Copy from the Records and proceedings of Queen Anne's County Court — In Testimony thereof I have hereto set my hand, and affixed the public Seal of my office this 8th day of September Anno Domi 1798. — Saml. H. Wright Clerk of Queen Anne's County Court. (Seal of Queen Anne's County Court) — And thereupon, appeared in our Eastern Shore General Court, as well the said James Hunt by Richard Hightman Earle, Esquire his Attorney, as the said William Pearce, by Samuel Purnell Esquire his Attorney; And the said William Pearce by his Attorney aforesaid defended the wrong 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 Henry Pratt 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 nine, came again into Court the parties aforesaid by their Attornies aforesaid; And thereupon, on motion of the said James Hunt by his Attorney aforesaid, it was ruled by the Court that the said William Pearce answer to the Declaration aforesaid of him the said James Hunt, in this plea aforesaid; And the said William Pearce by his Attorney aforesaid further defended the wrong 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 James Hunt then, &c — And now here, at this day, to wit, the second Tuesday of September in the year of our Lord one thousand seven hundred and ninety nine comes again into Court the Parties aforesaid by their Attornies aforesaid; And the said William Pearce by his Attorney aforesaid further defended the wrong and injury when, &c, and says that he cannot deny the action aforesaid of the said James Hunt, so as aforesaid, against him brought, nor but that he, the same William Pearce did assume upon himself in manner and form as the said James above thereof against him complains; Nor likewise but that the said James Hunt hath sustained Damages by reason of the nonperformance of the promises and Assumptions aforesaid to the sum of one hundred pounds Current money, as he, the said James above by declaring supposes — Whereupon the said James Hunt by his Attorney aforesaid prays Judgment, and his Damages, so as aforesaid acknowledged, together with his Costs and Charges by him about his suit in this behalf laid out and expended, to him be adjudged &c and so forth — Therefore it is considered by the Court here that the said James Hunt recover against the said William Pearce as well the said sum of one hundred pounds Current money