bailiwick and them safe keep so that he might have their bodies before the Judges of our General Court be held at Easton in Talbot County the second Tuesday of September then next to answer unto Robert McKim, & Alexander McKim in a plea of Trespass upon the Case &c. And that he the said Sheriff should not fail thereof at his peril and should then and there have that writ. At which said second Tuesday of September in the year Seventeen hundred and ninty eight here came the said Robert McKim & Alexander McKim by Thomas Bullett their attorney and the Sheriff of the County afs., to the Court here made return that he had taken the bodies of the said Thomas Baynard Alexander Maxwell & Elizabeth his wife and the same had ready according to the Exigence of the said writ. And the said Thomas Baynard and Alexander Maxwell & wife came here into Court and defended the force and injur when &c. and prayed leave to imparle untill the second Tuesday in April then next, and they had it the same day was given to said Robert & Alexander McKim then &c. at which said second Tuesday of April Seventeen hundred and ninty nine came again into Court the parties afs. by their attorneys afs. and thereupon on Motion of the said Thomas Baynard & Alexander Maxwell & wife by their attorney afs. it was rule by the Court here that the said Robert & Alexander McKim should declare against the said Defendants in the plea afs. on or before the second Tuesday in Septembe then next or Judgment would be rendered against them in the fault thereof, the same day was given to the said Defendants then &c. At which said second Tuesday of September Ninty nine came again into Court the parties afs. by their attornies afs. and the said plaintiff by their attorney afs. declare against the defendants in the plea afs. as follows to wit

The State of Maryland Caroline County, to wit Thomas Baynard late of Caroline County, Yeoman, administrator and Alexander Maxwell late of Caroline County, Yeoman, & Elizabeth his wife administratrix of all & singular the Goods & Chattels, rights & Credits which were of William Gibson deceased at the time of death, were attached to answer unto Robert & Alexander McKim

in a plea of Trespass on the Case &c. And whereupon the same plaintiffs by Thomas James Bullett their attorney, complain that, whereas, on the third day of June in the year of our Lord seventeen hundred and ninty six at the County afs. the same Gibson was indebted to the same plaintiffs in the sum of three hundred & twenty four pounds one shilling & five pence current money of Maryland for divers Goods wares & Merchandise; by the same Gibson, in his life time, at his special instance & request there before that time sold and delivered, and so therein indebted being the same Gibson in his life time, in consideration thereof afterwards, to wit. on the same day and year afs. at the County afs. upon himself assumed, and unto the same plaintiffs then and there faithfully promised to pay the same plaintiffs the afs. sum of Money, when ever after he should be thereto required. And whereas also afterwards to wit, on the same day and year aforesaid, at the County afs. the same plaintiffs had, there before that time, at the like special Instance & request of the same Gibson sold & delivered to the same Gibson divers other goods wares & Merchandize, he the same Gibson in his life time in consideration thereof afterwards, to wit on the same day and year afs. upon himself assumed and unto the same plaintiffs then and there faithfully promised to pay to the same plaintiffs for the goods wares and Merchandise last mentioned as much current Money of Maryland as the same Goods wares & Merchandise is last mentioned, at the time of the sale and delivery thereof were reasonably worth, whenever after he should be thereto required. And the same plaintiffs in fact say that the goods wares and Merchandise last mentioned at the time of the date & the delivery thereof were reasonably worth one other sum of three hundred and twenty four pounds one shilling and five pence half penny current Money of Maryland, to wit at the said County of which the same Gibson in his life time then and there had notice Nevertheless, the same Gibson in his life time & the same Thomas Baynard & Elizabeth after the death of the same Gibson whilst she said Elizabeth was sole and the said Baynard and Maxwell & Elizabeth after espousals celebrated between them the said Maxwell & Elizabeth the several promises and assumptions afs. him the said Gibson in form afs. made not regarding, but minding & fraudulently intending