hath refused to pay the said sums of money or either of them, and the Interest thereon as aforesaid, and to execute and deliver the said Bond or Bonds as aforesaid, and yet doth refuse to pay the said sums of money or either of them and Interest or any part thereof to the said Mercieff, and to execute and deliver the said Bond or Bonds to him the said Mercieff, whereupon the said Mercieff saith he is Injured and hath damage to the Value of three Thousand pounds current money of Maryland, and therefore he brings suit &c — John Doe & Richard Roe, pledges &c. J. Martin W.B. Martin for the plaff — And the said William Goldsborough by his Attorney aforesaid further defends the force and injury when &c and prays leave of the Court to Imparle unto the next Term &c. Which is granted, the same day was given to the said Archibald Mercieff then &c. At which said next Term to wit, the Second Tuesday of September Seventeen hundred ninety eight came again into Court the parties af. by their attorneys aforesaid, whereupon for the further proceeding upon the premises aforesaid Between the parties aforesaid by consent of the said parties and their Attorneys aforesaid, and by order of the Court thereon was continued unto the Second Tuesday of April then next, And now here at this day to wit The second Tuesday of April in the year of our Lord Seventeen hundred and ninety Eight comes again into Court the parties aforesaid by their Attorneys af. whereupon for trying the Issue af. it is ordered by the Court here that Twenty persons from the panel of petit Jurors returned returned to the Court here by the several Sheriffs of the different Counties of the Eastern Shore be drawn by ballot, according to the act of Assembly in such case made and provided; and thereupon the Twenty persons being so drawn by Ballot, and written upon two Lists one of which said lists is delivered to the Counsel for the respective parties, and the Counsel for each of the said parties having stricken out four persons from the said Lists, thereupon the remaining twelve persons being called, came to wit, Henry Downs (Freeman), Anthony Bacon, Whittington King, James Dues, Thomas Nicols, Richard Mansfield, George Downs, Seth King, John Dickinson, Adam Elzey, Thomas Emory, Thomas Pennell who being empannelled and sworn to say the truth in the premises, upon their oath do say, that the said William Goldsborough did — assume upon himself in manner and form as the aforesaid Archibald Mercieff within against him hath Complained, and they assess the damages of the said Archibald Mercieff sustained by occasion of the non performance of the premises and assumptions aforesaid, to the sum of Two thousand two hundred and forty pounds Current money; Therefore it is considered by the Court here, that the aforesaid Archibald Mercieff recover against the said William Goldsborough, as well the sum of Two thousand two hundred

and forty pounds current Money, his Damages aforesaid, by the Jurors aforesaid, in form aforesaid Assessed, to be sustained by occasion of the non performance of the premises and Assumptions aforesaid, in the quantity of Six thousand, five hundred and twenty pounds of Tobacco by the Court here awarded him the said Archibald Mercieff and his Assent adjudged, for his Costs and charges by him about his Suit laid out and expended; and the said William Goldsborough in mercy &c Test James Earle Junr Clk —

Memorandum Judgment in this action was rendered, the 19th day of April Anno Dom 1799 for £2240 Damages & Costs

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Elizabeth Caile ag.t Robert Muir ex.tor of Adam — —

Be it remembered that on the twenty fourth day of October in the year one Thousand, seven hundred & ninety four, Robert Muir, the Defendant in this cause by William Bond Martin, his Attorney prosecuted forth out of the General Court the Writ of the State of Maryland of Habeas corpus cum causa, to the Chief Justice & associate Justices of Dorchester County Court & the Sheriff of the said county directed, in manner & form & of the tenor following, to wit — The State of Maryland: To the Chief Justice and his Associates, Justices of Dorchester County Court, and to the Sheriff of Dorchester County, Greeting. — Whereas a certain Robert Muir Exor of Adam Muir, is detained in the prison of our said County, under the Custody of you, our said Sheriff, at the suit of a certain Elizabeth Caile of a plea of Debt, 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 We therefore command you that you have the body of the said Robert Muir, Executor of Adam Muir, as afsd. 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 April 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 Honourable R. Goldsborough, Esquire, Chief Judge of our said Court the 12 day of September 1797. Issued the 24 day of October 1797.

WBM. James Earle Junr Clk.

At which said second Tuesday of April in the year of our Lord Seventeen hundred and ninety eight: being the return day of the foregoing Writ, the Chief Justice & associate Justices of Dorchester County Court and the Sheriff of the said County in obedience to command contained in the said Writ, to wit, the said Sheriff had the Body of the said Robert Muir, Exor of Adam Muir, and the said Chief Justice and Associate Justices certify and