effects on hand as they shall arise which in a due course of administration would be liable to this debt.

Thomas Waters Senr.
against
John Hitch and William Hitch
Admors of Joshua Hitch deceased

Be it remembered that on the fifteenth day of February 1798. Process was given to the Sheriff of Somerset County, to take John Hitch late of Somerset County planter, & William Hitch late of Somerset County planter, Administrators of all & singular the goods & chattels rights & credits which were of Joshua Hitch late of Somerset County deceased, who died intestate as it is said, & they should be found in his Bailiwick and them safe keep, so that he might have their bodies before the Judges from General Court, to be held at Easton, the second Tuesday of April then next, to answer unto Thomas Waters Senior of a plea that they render unto him the sum of two hundred and thirty nine pounds sixteen shillings and tenpence current money of Maryland which from him they unjustly detain & withhold. At which said second Tuesday of April seventeen hundred and ninety eight being the day of the return of the aforegoing writ, came into Court the said Thomas Waters Senr. by Benjamin Dashiell his Attorney, and the Sheriff of Somerset County to whom the said writ was directed, made return thereof to the Court here thus endorsed, to wit "Capi corpora George Handy Shff." And the said John & William being called appeared in Court here by John Holbrook their Attorney, and defended the force & injury when &c. and prayed leave to imparle until the second Tuesday September then next and they had it, the same day was given to the said Thomas Waters Senr. then &c.

At which said second Tuesday in September seventeen hundred and ninety eight, came again into Court the parties aforesaid by their Attorneys aforesaid. And the said Thomas Waters by his said Attorney, declared against the said John & William Hitch, Administrators as aforesaid, as follows to wit. Eastern Shore State of Maryland Somerset County to wit. William Hitch late of Somerset County planter, and John Hitch late of Somerset County planter, Administrators of all and singular the goods & chattels rights & credits which were of Joshua Hitch, deceased, late of Somerset County deceased at the time of his death, who died intestate as it is said was summoned to answer unto Thomas Waters, Senior, of a plea that they render unto him the sum of two hundred & thirty nine pounds, sixteen shillings and tenpence current money of Maryland, which from him they unjustly detain & withhold. And whereupon the said Thomas Waters Senior, by Benjamin Dashiell, his Attorney, says that whereas the aforesaid Joshua Hitch in his lifetime, to wit, on the first day of April in the year of our Lord seventeen hundred and ninety three, at Somerset County aforesaid, by his certain writing obligatory acknowledged himself to be held and firmly bound unto the said Thomas Waters Senior, in the sum of in the aforesaid sum of two hundred and thirty nine pounds sixteen shillings and ten pence current money of Maryland, to be paid to the said Thomas Waters Senior when afterwards he should be thereunto required. Nevertheless neither the aforesaid Joshua Hitch in his lifetime nor the aforesaid William & John, since the death of him the said Joshua (to which said William & John Administrators of all & singular the goods and chattels rights and credits which were of the aforesaid Joshua at the time of his death, was after the death of him the said Joshua in due form of law committed) all the aforesaid pounds, current money of Maryland to him the said Thomas Waters Senr. hath not paid or paid, but the same to him to render or pay they have altogether refused, and the said William & John, the same to render or pay still doth refuse to the damage of him the said Thomas Waters Senior, in the sum of five hundred pounds current money of Maryland aforesaid, and therefore he brings suit &c. & brings here into Court the writing obligatory aforesaid, sealed with the seal of him the said Joshua Hitch which the debt aforesaid witnesseth the date whereof is the same day and year last aforesaid. John Dashiell

Bond & Article for plff— pledges &c. Rich. Roe

The writing obligatory whereof mention is made in the above Declaration, ensues as follows to wit. Somerset County State of Maryland, to wit— **Know** all men by these presents that we Benjamin Jones and Joshua Hitch both of the County and State aforesaid, are held & firmly bound unto Thomas Waters of the same County and State in the just & full sum of two hundred and thirty nine pounds sixteen shillings and tenpence current money of the State aforesaid to be paid to the said Thomas Waters his Heirs Executors Administrators or Assigns To the which payment well and truly to be made and done we bind ourselves our Heirs Executors and Administrators jointly and severally firmly by these presents. Sealed with our seals and dated this first day of April one thousand seven hundred & ninety three. The Condition of the above Obligation is such, that in case the above bound Benjamin Jones his Heirs, Executors or Administrators shall well and truly pay or cause to be paid unto the above mentioned Thomas Waters senior his heirs executors administrators or assigns the just & full sum of one hundred and nineteen pounds sixteen shillings & five pence with legal Interest thereon for value received. Then this Obligation to be void; else to remain in full force and virtue in Law.

Signed, Sealed & delivered, in the presence of William Coffman — Benjamin Jones (Seal) — Joshua Hitch (Seal)

On the back of the said writing Obligatory were the following endorsements, to wit.

October the 25th 1797 — Ben Jones Cr.

By Ann Georges Robertsons acct. for County levy of Robert Dashiell's heirs for the years 1792. 1793 & 1794. — Thomas Waters — £7 18s 2d

Somerset County October 31st 1797. Then came Capt. Thomas Marley & made oath upon the holy Evangels that the within bond as it stands stated is just & true & that he hath not directly or indirectly rec.d any part parcell or any security for the same more than credits given to the best of his knowledge — before Wilkins Hope

And thereupon on motion of the said Thomas Waters Senr. by his Attorney aforesaid it is ordered by the Court here that the said John & William Hitch, Administrators as aforesaid, do answer to the Declaration with the plea aforesaid, or Judgment would be rendered against them by default; and the said John & William Hitch by their Attorney aforesaid defended the force and injury when &c. and prayed leave to imparle until the second Tuesday in April next to answer to the Declaration aforesaid and they had it the same day was given to the said Thomas Waters Senior, then &c. **And now here**, to wit, the second Tuesday in April seventeen hundred and ninety nine came again into Court the parties aforesaid by their Attorneys aforesaid, and the said John & William Hitch by their Attorney aforesaid defend