

May Term 1795.

It appears that John Groves is justly entitled to Twenty pounds one shilling and four pence to be deducted from a Judgment obtained against him by Gates Petty and Gates and that the said sum ought to be deducted from the principal of said Judgment 1 Day of May 1794.

John Randall.

Annapolis July 28<sup>th</sup> 1795.

18<sup>th</sup> Sept. 1795. Recd of M<sup>r</sup>. John Groves the sum of One Hundred and forty five Dollars to the Credit of Gates & Petty's Judgment against him.

W. Cooke.

Test.

John Gwinne Clk.

William Young  
against  
Stephen Clarke

Be it remembered that heretofore, to wit, on the nineteenth day of December Anno Domini seventeen hundred and ninety three the Plaintiff by William Cooke his Attorney sued out of our General Court the State of Maryland's Writ of *Capias ad respondendum* directed to the Sheriff of Anne Arundel County in the words and figures following, to wit. The State of Maryland, do, To the Sheriff of Anne Arundel County, greeting, We command you that you take Stephen Clarke late of Anne Arundel County Merchant if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto William Young in a plea of Trespass upon the Case and so forth, hereof fail not at your peril, and have you then and there this Writ. Witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court, the 12<sup>th</sup> day of November Anno Domini 1793.

Issued the 19<sup>th</sup> day of December 1793. (W.C.) J<sup>no</sup>. Gwinne Clk.

And the aforesaid William Young by his Attorney aforesaid declare against the aforesaid Stephen Clarke in the plea aforesaid in manner and form following, to wit,

State of Maryland Anne Arundel County to wit, Stephen Clarke late of Ann Arundel County Merchant was attached to answer unto William Young in a plea of Trespass upon the Case and so forth, And whereupon the said William Young by William Cooke his Attorney complains that whereas the said Stephen on the thirtieth day of April in the year seventeen  
(hundred)



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hundred and ninety three at Ann Arundel County aforesaid was indebted unto the said William Young in the sum of Two hundred and ten pounds sixteen shillings and four pence half penny Current Money for divers Goods Wares and Merchandizes by the said William Young to him the said Stephen Clarke before that time there sold and delivered at his special Instance and request and being so indebted the said Stephen in consideration thereof upon himself assumed and to the said William Young then and there faithfully promised the aforesaid sum of Current Money to him the said William Young when afterwards he the said Stephen should be thereunto required would well and truly content and pay And whereas the said Stephen afterwards to wit on the day and year aforesaid at the County aforesaid in consideration that he the said William Young had before that time there sold and delivered to him the said Stephen other Goods Wares and Merchandizes at his special Instance and request he the said Stephen upon himself assumed and to the said William Young then and there faithfully promised to pay to him the said William Young when afterwards he the said Stephen should be thereunto requested such sum of Money for the Goods Wares and Merchandizes last mentioned as the same were reasonably worth at the time of the Sale and delivery thereof as aforesaid And the said William Young in fact saith that the said Goods Wares and Merchandizes last mentioned were at the time of their Sale and delivery thereof as aforesaid to him the said Stephen reasonably worth one other sum of Two hundred and ten pounds sixteen shillings and four pence half penny Current Money to wit at the County aforesaid whereof he the said William Young to him the said Stephen then and there give notice Nevertheless the said Stephen his several promises and assumptions aforesaid so as aforesaid made not regarding but minding and fraudulently intending him the said William Young in this behalf craftily and subtilly to deceive and defraud the aforesaid several sums of Current Money or either of them or any thereof to him the said William Young hath not contented or paid (altho' so to do the said Stephen on the day and year aforesaid and often afterwards at the County aforesaid by the said William Young was requested) but the same several sums of Current Money or any part of either of them to the said William Young



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to content or pay the said Stephen hath altogether refused and still doth refuse wherefore the said William Young saith he is the worse and hath Damage to the value of Five hundred pounds Current Money and therefore he brings Suit and so forth.

W. Cooke p. plff. Hedges and so forth. M. Doe and Rich<sup>d</sup> Roe.

A Copy of which foregoing Declaration was made and sent with the Writ which issued in the plea aforesaid.

At which mentioned second Tuesday of May being the thirteenth day of the same month Anno Domini seventeen hundred and ninety four and the day of the return of the foregoing Writ comes here into our General Court the aforesaid William Young by William Cooke his Attorney aforesaid and the Sheriff of Ann Arundel County to whom the said foregoing Writ was made and directed likewise comes and makes return thereof to the Court here, thus endorsed, to wit,

Copy Copy left the 12<sup>th</sup> April 1794. W<sup>m</sup> Goldsmith Shff.

And the said Stephen Clarke being called upon appears And at the prayer of the aforesaid William Young by his Attorney aforesaid the said Stephen Clarke is adjudged to give special Bail to the Action aforesaid. Whereupon a certain Joseph Clarke of Ann Arundel County Gentleman present here in Court in his proper person undertakes for the said Stephen Clarke that in case the aforesaid William Young shall recover Judgment against the said Stephen Clarke in the plea aforesaid or that the said Stephen Clarke shall be therein legally convict that then the said Stephen Clarke shall pay the condemnation of the Court thereupon or render his Body to the Custody of the Sheriff of Ann Arundel County in satisfaction thereof or that he the said Joseph Clarke will do the same for him.

And the said Stephen Clarke by William Pinkney his Attorney comes and defends the force and injury when and so forth and prays leave of the Court, to Imparle hereunto untill next Court, and he hath it, the same day is given to the Plaintiff also.

At which said next Court, to wit, the second Tuesday of October being the fourteenth day of the same month Anno Domini seventeen hundred and ninety four comes again here into our General Court as well the aforesaid William Young by his Attorney aforesaid, as the aforesaid Stephen Clarke by his Attorney aforesaid,

(And)



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And the aforesaid Stephen Clarke by his Attorney aforesaid as before defends the force and injury when and so forth, and saith that he did not assume upon himself in such manner and form as the aforesaid William Young above against him hath declared and of this he puts himself upon the Country and the aforesaid William Young in like manner and so forth.

Therefore let a Jury thereupon appear before the Judges of our General Court here, on the second Tuesday of May next, by whom  $\text{V}^{\text{e}}$  and who neither  $\text{V}^{\text{e}}$  to recognize  $\text{V}^{\text{e}}$  because as well  $\text{V}^{\text{e}}$  the same day is given to the parties aforesaid then and there  $\text{V}^{\text{e}}$

And now here, at this day, to wit, the said second Tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and ninety five comes again here into our General Court as well the aforesaid William Young by his Attorney aforesaid, as the aforesaid Stephen Clarke by his Attorney aforesaid, And the aforesaid William Young by his Attorney aforesaid files in Court here the following Account and Probate, to wit. (here insert the Account and Probate).

Nevertheless the aforesaid Stephen Clarke by his Attorney aforesaid relinquishing the averment aforesaid above by him pretended says that that he cannot deny the Action aforesaid of the aforesaid William Young so as aforesaid against him brought nor but that the aforesaid William Young hath sustained Damage to the sum of Five hundred pounds Current Money by occasion of the promise and assumption aforesaid in manner and form and form as the aforesaid William Young above against him hath declared. Therefore it is considered by the Judges here that the said William Young recover against the aforesaid Stephen Clarke as well the sum of Five hundred pounds Current Money his Damages aforesaid in form aforesaid confessed as also the quantity of One thousand and sixty three pounds of Tobacco by the Court here unto him the said William Young on his absent adjudged for his costs and charges by him about his Suit in this behalf laid out and expended And the aforesaid Stephen Clarke in Mercy  $\text{V}^{\text{e}}$ .

Memorandum, Judgment was rendered in this Cause on the twenty first day of May Anno Domini seventeen hundred and ninety five for the Damages laid in the Declaration and Costs of Suit, To be released on payment of Two hundred and eight pounds seventeen (shillings)



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shillings and six pence Current Money with Interest thereon from the eighteenth day of June seventeen hundred and ninety three and costs, And the Plaintiff agrees to stay Execution untill the first day of August next, any additional payments not credited in the Account to be allowed.

Test.

J. W. Gwinn Clk

William Whetcroft  
against  
Edward Dorsey.

Be it remembered that on the Thirtieth day of May in this same Term in pursuance of an Act of the General Assembly of the State of Maryland passed at November Session seventeen hundred and ninety three, entitled "An Act to repeal conditionally, An Act, entitled, An Act for the relief of William Whetcroft of the City of Annapolis passed at November Session seventeen hundred and seventy nine" the aforesaid William Whetcroft by Philip Barton Key and William Pinkney his Attornies file in Court here, the following Copy of an Award Notice and Affidavit, to wit. George Town October 20<sup>th</sup> 1794.

To all Persons to whom these presents shall come Giving. Whereas in and by an Act of Assembly of Maryland passed last Session entitled "An Act to repeal conditionally An Act entitled An Act for the relief of William Whetcroft of the City of Annapolis passed at November Session seventeen hundred and seventy nine" and by the recited Section of the said Acts, his Excellency the Governor for the time being was authorized and requested to nominate and appoint three persons as Arbitrators for the purposes declared in and by the said Sections as by the said recited Section will appear

And whereas his Excellency Thomas Sim Lee Esquire did by Writing under his hand bearing date the eleventh day of February in the year seventeen hundred and ninety four nominate and appoint the subscribers as Arbitrators under the said Act. Now know ye that we George Murdock and Nolly Young two of the Arbitrators as aforesaid have taken upon ourselves the execution of the powers given by the said Act, and after more than fifteen days Notice to each of the parties William Whetcroft and Edward Dorsey of our having fixed and determined to meet at George Town and then and there receiving and fully considering the allegations proofs

(circumstances)