

Wm Mayhew & Wm Lumsden  
vs Benjamin Stady  
Command was given to the Sheriff of Somerset County that he should take Benjamin Stady late of Somerset County planter otherwise called Benjamin Stady of Somerset County in the province of Maryland if he should be found in his Parish and him should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at Princess Anne Town in and for the County of the third Tuesday of March Anno Domini one thousand seven hundred and sixty One to answer unto Mayhew's Executrix and William Lumsden's Executors of the testament and Last will of Joseph Lumsden of Dorchester County Decd of Ayles that he renders unto them the sum of thirty one pound five Shillings and Two pence Cal Money of Maryland which from them he unjustly detains and so forth And the same day is given to the said May and Wm Lumsden

At which day here came the said May and William Lumsden Esqrs by William Hayward their Attorney and the Sheriff to wit John Dennis Esq who now here returned that he had taken the said Benjamin Stady whose body here at the day he had ready to answer the said May and William Lumsden Esqrs of the said plea as to him it was committed

Whereupon the said Mayhew and William Lumsden Esqrs declared Against the said Benjamin Stady in the plea of in form following -  
Know all men that Benjamin Stady late of Somerset County planter otherwise called Benjamin Stady of Somerset County in the province of Maryland planter was summoned to answer unto Mayhew's Executrix and William Lumsden's Executors of the Last will and Testament of Joseph Lumsden of Dorchester County Decd of Ayles that he renders them thirty one pound five Shillings and Two pence Cal Money of Maryland which to them he unjustly detains and so forth And whereupon the said May and William by William Hayward their Attorney deputed whereas the said Benjamin in the lifetime of the said Joseph to wit on the Twenty seventh day of July in the year of our One thousand seven hundred and fifty four at Dorchester town in Somerset County of his Certain Writing Obligatory which the said Joseph with the seal of the said Benjamin sealed hereinto Court doth bring the date whereof is the same day And hereof acknowledged himself to be bound and firmly bound unto the said Joseph in his lifetime in the said sum of thirty one pound five Shillings and Two pence Cal Money of Maryland to be paid to the said Joseph Lumsden his heir Esq or assigns when he the said Benjamin should be thereto afterwards Required Nevertheless the said Benjamin altho often Required the said sum of thirty One pound five Shillings and Two pence Cal Money of the said Joseph in his lifetime or unto the said May and William or to either of them since the death of the said Joseph he hath not paid but the same to him or either of them to pay hath Refused and still doth Refuse and unjustly detains to the Manifest delay of the location of the Last will and Testament of the said Joseph whereupon the said May and William say they have Damages to the value of thirty One pound five Shillings and Two pence Cal Money of Maryland and thereof they bring Suit and so forth And bring hereinto Court the Letters Testamentary of the said Joseph by which it fully appears to the Court here that the said May's Executors and the said William Executors of the Last will and Testament of the said Joseph and have thereof Administration &c

Whereupon the said Benjamin Stady at the prayer of the said May and William Lumsden Esqrs is Adjudged to give special Bail to the Action of Thereupon a Certain William Giles, Solomon Davis, William Davis and Joseph Stader of Somerset County planters present herein Court in their proper persons undertook and lack of them undertook for the said Benjamin Stady that if it should happen that judgment in the plea of should be Rendered for the said May and William Lumsden Esqrs Against the said Benjamin Stady or that he the said Benjamin Stady should be therein Convicted that then he the said Benjamin should pay and satisfy unto the said May and William Lumsden Esqrs the judgment of the Court thereupon or Render his body in location of such judgment to the prison of the Sheriff of the County of in satisfaction thereof or that they the said W. Giles, Solomon Davis, W. Davis and Joseph Stader and each of them will do the same for him &c

And the said Benjamin Stady by Samuel Wilson his Attorney comes and defends the fees and charges &c and lieth that he cannot deny the Action of of the said May and William Lumsden Esqrs but that the Writing Obligatory of the said Benjamin is not the deed of the same Benjamin but that he owes the Debt from the said May and William Esqrs the said sum of thirty one pound five Shillings and Two pence Cal Money in manner and form the said May and William Esqrs also against him have declared Therefore it is considered that the said May and William Lumsden Esqrs recover Against the said Benjamin Stady his Debt of and his Damages by Occasion of the Detention of that same Debt to

Benjamin Stady his Debt of and his Damages by Occasion of the Detention of that same Debt to the said May and William Esqrs of their Assent by the Court here Adjudged and the said Benjamin in Money &c with stay of &c until August 1761