and fail for the said Daniel Hook that if it shall happen that the said Daniel Hook at the suit of the said Henry Hoonty Junior in the plea aforesaid shall be convicted then the same Samuel Skinner Thomas doth grant as well the debt aforesaid as all such Damages costs and charges which to the aforesaid Henry Hoonty Junior in that part shall be adjudged of his Lands and chattels to be made and to and for the use of the said Henry Hoonty Junior to be levied in case the said Daniel Hook the said debt damages costs and charges aforesaid to the said Henry Hoonty Junior shall not pay and satisfy or himself to the prison and custody of the Sheriff of Frederick County on that occasion render Thereupon the said Daniel by his said attorney prays leave to imparle thereto here until the next Court and he hath it the same day is also given to the Plaintiff.

And now here at this day to wit, the fourth Monday and twenty sixth day of March seventeen hundred and ninety two, until which day the said Daniel had leave to imparle and then to answer &c. comes as well the said Henry by his said attorney as the said Daniel by his said attorney who produces a writ of Habeas Corpus in these words to wit. The State of Maryland Set to the Justices and Sheriff of Frederick County, Greeting. Whereas a certain Daniel Hook is detained in the prison of our said County under the custody of you our said Sheriff at the suit of a certain Henry Hoonty Junior of a plea of Debt and Soforth 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. Therefore we command you that you have the body of the said Daniel Hook 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 at the City of Annapolis the second Tuesday of May next that the Judges of our said General Court may further proceed therein as to Justice appertains and Soforth. Hereof fail not at your Peril, and have you then and there this writ. Witness the Honorable Samuel Chase Esquire chief Judge of our said Court the 14th day of February anno Domini 1792. (S.D.)

Issued the 24th day of March anno Domini 1793. Jno. Gwinn Clk.

Which being read and heard by the Court is allowed of and ordered that the record of the proceedings in the action aforesaid be

be transmitted accordingly. Test. William Ritchie Clk.

(Seal of Frederick County Court)

In Testimony whereof I have hereunto set my hand and affixed the seal of said Court 18th May 1793.

Wm Ritchie Clk.

And now comes into the General Court here, as well the said Henry Hoonty by Baker Johnson his attorney as the said Daniel Hook by Roger Nelson his attorney aforesaid: and thereupon, on motion of the said Henry Hoonty by his attorney aforesaid, it is ruled by the Court here, that the said Daniel Hook answer to the declaration aforesaid of the said Henry Hoonty in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof: and the said Daniel Hook by his attorney aforesaid, defends the force and injury, when, and soforth, and prays leave of the Court here to imparle until the second Tuesday of October next, and then to answer to the declaration aforesaid of the said Henry Hoonty in the plea aforesaid, and to him it is granted: the same day is given to the said Henry Hoonty also:—

At which said second Tuesday of October being the ninth day of the said month, in the year of our Lord one thousand seven hundred and ninety two to which said day the said Daniel Hook had leave to imparle and then to answer to the declaration aforesaid of the said Henry Hoonty in the plea aforesaid, comes again into the General Court here, as well the said Henry Hoonty by his attorney aforesaid, as the said Daniel Hook by his attorney aforesaid. And the said Daniel Hook by his attorney aforesaid as before defends the force and injury when and soforth. and prays an hearing of writing obligatory aforesaid and also of the Condition thereof and to him they are read: which being read and heard the said Daniel Hook says that the said Henry Hoonty his action aforesaid against him to have or maintain ought not, because he saith that he the said Daniel Hook did pay unto the said Henry Hoonty the sum of seventy four Pounds one shilling specie in the Condition of the said writing obligatory mentioned with legal interest thereon according to the form and effect of the Condition of the said writing obligatory and this he is ready to verify wherefore he prays Judgment if the said Henry Hoonty his action aforesaid against him to have or maintain ought and Soforth. And the said Henry Hoonty by his attorney aforesaid saith that he by any thing by the said Daniel Hook above in pleading alleged from having and maintaining his action aforesaid against him ought not to be precluded because he