

# Dickinson College Archives & Special Collections

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## Documents Online

**Title:** Legal Document, Thomas Gist v. William Durbin, Jr.

**Date:** June 23, 1812

**Location:** I-BeachW-1971-3

### Contact:

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William Berlin Junior late of Frederick County, yeoman

was summoned to answer unto Penelope Bye Gist and Thomas Hammond Executors of the last will and Testament of Thomas Gist deceased in a plea that he render unto them the sum of fifty four pounds ten shillings and eight pence current money, which he ~~is~~ unjustly detains from them and so forth.

And whereupon the said Penelope Bye and Thomas Hammond by Roger Brooke Taney ~~his~~ <sup>their</sup> attorney, ~~said~~ <sup>says</sup> that whereas the aforesaid William

on the twenty third day of June in the year of our Lord, eighteen hundred and twelve at Frederick county aforesaid by his certain writing obligatory six months after the date thereof promised to pay or cause to be paid unto the said Thomas Gist in his life time the said sum of fifty four pounds ten shillings and eight pence current money with legal interest thereon from the date thereof it being for value received of him

Nevertheless the aforesaid William

(although often thereunto afterwards requested, to wit, at the county aforesaid) the aforesaid sum of money, or any part thereof, to the said Thomas Gist in his life time or to the said Penelope Bye and Thomas Hammond executors as aforesaid since the death of the said Thomas Gist

hath not rendered or paid, but the same or any part thereof to the said Thomas Gist in his life time or to the said Penelope Bye and Thomas Hammond executors as aforesaid since the death of the said Thomas Gist to render or pay the said William

to pay the same to the said Penelope Bye and Thomas Hammond hath hitherto altogether refused, and still doth refuse. Wherefore the said Penelope Bye and Thomas Hammond executors as aforesaid ~~say they are~~ <sup>have</sup> injured and ~~done~~ <sup>done</sup> damage to the value of fifty pounds current money, and therefore they bring suit, and so forth. And the said Penelope Bye and Thomas Hammond bring into Court here the writing obligatory aforesaid, sealed with the seal of the said William

which testifies the debt aforesaid in form aforesaid, the date whereof is the day and year aforesaid, and so forth, and also bring into court here the letters testamentary of the said Thomas Gist deceased whereby it fully appears to the said Court here that the said Penelope Bye and Thomas Hammond are executors of the last will and testament of the said Thomas Gist deceased and have the execution thereof and so forth

JOHN DOE  
AND  
RICHARD ROE, } Pledges to  
                          } prosecute.

ROGER BROOKE TANEY,  
Plaintiff's Attorney.

(OVER OF THE WRITING OBLIGATORY AFORESAID.)

State of Frederick County, to-wit:

was summoned to answer unto  
in a plea that he render unto the sum of  
current money, which he ~~has~~ unjustly detains from ~~me~~ and so forth.  
And whereupon the said  
by Roger Brooke Tandy his attorney, saith, that whereas the aforesaid

123.

Thos. Pitt's Executors

check in

from Benjamin Pitt

from

Mr. Pittman  
his Attor

R. B. Tandy

John Pittman	23
John Pittman	26
John Pittman	35
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John Pittman	84

Leahy from Note 4/19/22

both not rendered or paid, but the same or any part thereof to the said  
to render or pay the said  
both hitherto altogether refused, and still doth refuse. Wherefore the said  
current money, and therefore the bring suit, and so forth. And the said  
bring into Court here the writing obligatory aforesaid, sealed with the seal of the said  
which testifies the debt aforesaid in form aforesaid, the date whereof is the day and year  
aforesaid, and so forth.

ROGER BROOKE TANDY

(OVER OF THE WRITING OBLIGATORY AFORESAID)

John Doe  
AND  
Richard Roe