June Term 1826

In the record of proceedings of the same Court amongst others is the following Court:

Ack. John Hodges of Thomas
use M'Donald & Ridgely
vs
ABC. Richard W West

Be it remembered that heretofore Court on the seventh day of July in the year of our Lord one thousand one eight hundred and twenty three the said John Hodges of Thomas by Alexander Mundell Esquire his attorney prosecuted and sued forth out of the County Court here the writ of the State of Maryland of Capias ad Respondendum to the Sheriff of said County directed in the words and of the tenor following Court:

Prince George County Sc The State of Maryland To the Sheriff of Prince George County Greeting You are hereby commanded to take Richard W West late of said County planter if he shall be found in your bailiwick and him safe keep so that you have his body before the County Court of the County aforesaid to be held at upper Marlborough Town in said County on the first Monday in September next to answer unto John Hodges of Thomas in a plea that he render unto him the sum of one thousand four hundred and five dollars and twenty cents current money which he owes to and unjustly detains from him and so forth. Hereof fail not at your peril and have you then and there this writ Witness the Honorable John Stephen Chief Judge of the first Judicial District the thirteenth day of June eighteen hundred and twenty three

Issued the seventh day of July 1823 Aquila Beale Clk

And the said John Hodges of Thomas by his said attorney at the time of prosecuting and suing forth the aforegoing writ declares against the said Richard W West in the plea aforesaid as follows Court: Prince George County Sc Richard W West late of Prince George County planter was summoned to answer unto John Hodges of Thomas in a plea that he render unto him the sum of fourteen hundred and five dollars and twenty cents current money which he owes to and unjustly detains from him and so forth. and whereupon the said plaintiff by Alexander Mundell his attorney says that whereas the said Richard on the fifteen day of June in the year one thousand eight hundred and twenty two at the County aforesaid by his certain bill obligatory for value received promised to pay the plaintiff by the name of John Hodges of Thomas surviving partner of John Hodges & Co or order the sum of fourteen hundred five dollars and twenty cents with legal interest thereon from the date thereof.

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Nevertheless the aforesaid Richard (altho often thereto required) the aforesaid sum of fourteen hundred and five dollars and twenty cents or any part thereof to the said John has not rendered or paid but the same or any part thereof to render or pay the said Richard has hitherto altogether refused and still does refuse whereupon the said John says he is the worse and has damage to the value of twenty five hundred dollars current money and therefore he brings suit and so forth and brings here into Court the bill obligatory aforesaid sealed with the seal of the said Richard which testifies the debt aforesaid in form aforesaid the date whereof is the day and year aforesaid and so forth.

Alex Mendell attorney for the Plff Pledges &c John Doe & Richard Roe

$1405.20/100 For value received I promise to pay John Hodges of Thomas surviving partner of John Hodges & Co or order the sum of fourteen hundred and five dollars and twenty cents with legal interest thereon from the date hereof. Given under my hand and seal this sixth day of June eighteen hundred and twenty two

Test Neil Macgregor Rd W West (Seal)

Copies of which said declaration and oyer were made and delivered to the Sheriff of said County thereon endorsed "to be served on the Defendant with the writ."

At which mentioned first monday in September being the first day of the same month in the year of our Lord one thousand eight hundred and twenty three and the return day of the aforegoing writ comes into the County Court here the said John Hodges of Thomas by his said attorney and the Sheriff of the County aforesaid to wit Thomas Osbourn gentleman to whom the said foregoing writ was in form aforesaid directed makes return thereof to the Court here thus endorsed Court: "Cpi. Thomas Osbourn Shff."

And the said Richard W West appears in Court here by Henry D Chapin Esquire his attorney and thereupon the said John Hodges of Thomas by his said attorney prays that the said Richard W West may answer to the declaration of him the said John Hodges of Thomas in the plea aforesaid whereupon it is ruled by the Court here that the said Richard W West answer to the declaration of the said John Hodges of Thomas in the plea aforesaid and if the said Richard W West doth not answer to declaration of the said John Hodges of Thomas in the plea aforesaid judgment will be rendered against him by default. And the said Richard W West by his said attorney prays leave of the Court here to imparle until the first monday in april next to answer to the declaration of the said John Hodges of Thomas in the plea aforesaid and he hath it the same day is given to the said John Hodges of Thomas then &c.

At which said first monday in april being the fifth day of the same month in the year of our Lord one thousand eight hundred and twenty four and the day until which the said Richard W West had leave to imparle to answer to the