Worrell, defendant, and wherein the said County Court gave Judgement for the said Morgan Brown Jr. against the said Benjamin Worrell, and from which said Judgement the said Benjamin Worrell prayed an appeal unto the Court of Appeals here, the tenor of which said record and proceedings is in form following to wit. "Maryland Kent County ss. At a County Court of the same Judicial District of the State of Maryland, begun and held at the Court house in the Town of Chester in and for Kent County aforesaid on the third Monday of March being the twenty first day of the same month, in the year of our Lord one thousand eight hundred & fourteen & in the thirty eighth year of the Independence of the United States of America. Were Present, The Noble { Richard Tilghman Earle, Esquire Chief Judge
Samuel Purnell & Thomas Worrell Esquires associate Judges
Edward Brown Esquire Sheriff and Benjamin Chambers Clk.
In the record of Proceedings of the said Court amongst other things were the following, to wit.
Morgan Brown Jr. vs Benjamin Worrell } Be it remembered that heretofore, to wit, on the twenty second day of July Eighteen hundred and twelve the said Morgan Brown Jr. by Ezekiel F. Chambers Esq. his attorney prosecuted sued forth out of Kent County Court here the Writ of the State of Maryland of Capias ad respondendum, to the Sheriff of Kent County directed in the words & the form following, to wit. "Kent County ss. The State of Maryland to the Sheriff of Kent County Greeting: You are hereby Commanded to take Benjamin Worrell late of Kent County if he shall be found in your Bailiwick and him safe keep so that you have his body before the County Court to be held at the Court house in the Town of Chester in and for the said County of Kent on the third Monday of September next to answer unto Morgan Brown junior in a plea of trespass on the Case &c. Hereof fail not at your peril and have you then and there this writ. Witness the Honorable Richard Tilghman Earle, Esquire Chief Judge of the said County Court the 16. day of March anno Dominie 1812. Issued the 22nd day of July anno Dominie 1812. Ben Chambers Clk." (seal of Kent County Court) At which mentioned third Monday of September, in the year eighteen hundred and twelve, and the day of the return of the aforegoing writ comes into the County Court here the said Morgan Brown junior, by his attorney aforesaid and the Sheriff of Kent County aforesaid, to wit, Edward Wilkins Esqr. Gentleman, to whom the said writ was in form aforesaid directed, and makes return thereof to the Court here thus endorsed, to wit. "Kent County ss. I hereby Certify to the honorable the Judges of Kent County Court, that by virtue of this writ to me directed I have taken the within named Benjamin Worrell, whose body I have ready before the County Court within named at the day & place within contained as I am within Commanded. As witness Edward Wilkins, Sheriff."
And the said Benjamin Worrell being called appears in Court here by William Barroll Esquire his attorney, thereupon on motion of the said Benjamin Worrell by his attorney aforesaid it is ruled by the Court here that the said Morgan Brown, junior, declare against the said Benjamin Worrell in the plea aforesaid & Judgment by the Court here will be rendered against him in default thereof, and the said Benjamin Worrell by his attorney aforesaid prays leave of the Court here to imparle until the third Monday of March, next and to him it is granted, the same day is given to the said Morgan Brown junior also. At which said third Monday of March, in the year eighteen hundred and thirteen came again into the County Court here the parties aforesaid by their attorneys aforesaid, and the said Morgan Brown junior by his attorney aforesaid declares in the Court here against the said Benjamin Worrell in the plea aforesaid in manner & form following that is to say "Maryland Kent County ss. Benjamin Worrell late of Kent County was attached to answer unto Morgan Brown junior in a plea of Trespass on the Case &c. And whereupon the said Morgan by E. F. Chambers his attorney complains that whereas the said Morgan is a good true faithful & honest Citizen of the State of Maryland and for divers years now last past was & remained & yet



is a mystery of a Merchant, in importing divers goods & merchandize into this State & vending the same to the Citizens of this State and as a faithful buyer & seller in bargaining buying & selling hath always behaved himself as a good, true and faithful citizen of the said State from the time of his nativity hitherto hath carried himself, and of good name fame and reputation among very many of the Citizens of the said State for all the time aforesaid was had, held, deemed & reputed to be, and for all the time of his merchandizing aforesaid his credit & promises in all transactions and affairs relative thereto without any mark of falsity a decent hath kept performed & fulfilled, and by that means acquired great credit and the good opinion of sundry Citizens of the said State & hath therewith daily honestly gained a maintenance and support for himself and his family, yet the said Benjamin not ignorant of the premises but maliciously & wickedly intending the good name fame & reputation of the said Morgan to draw into question, and to bring on him the said Morgan the mistrust of the good citizens of the State, and to draw him into scandal and infamy so that the Citizens of the said State should desist from bargaining negotiating or in any way dealing with the said Morgan on the first day of September, in the year eighteen hundred and eleven at Kent County aforesaid in a certain discourse which the said Benjamin then and there had with divers other Citizens of this State of and concerning the said Morgan & the exercise of his said art or mystery of a Merchant, these false feigned scandalous and opprobrious English words following, of and to the same Morgan, in the presence and hearing of the last mentioned Citizens falsely & maliciously & spitefully & with a loud voice published & pronounced, to wit. "M (meaning him the said Benjamin) will let you (him the said Morgan meaning) alone when you (again the same Morgan meaning) deal fair & honest" (meaning the dealing of the said Morgan with the Citizens of this State) And the said Benjamin of his further malice preponed against the said Morgan afterwards, to wit, on the same day & year aforesaid, at the County aforesaid, in a certain other discourse which the said Benjamin then & there had with divers other good & worthy Citizens of this State of & concerning the said Morgan, and the exercise of his said art & mystery of a Merchant, he the said Benjamin in the presence and hearing of those Citizens did falsely & maliciously speak & utter of and to the said Morgan certain other false scandalous and opprobrious words importing that the said Morgan did not deal fairly & honestly with the good Citizens of this State, and the said Benjamin of his further malice preponed against the said ___ afterwards to wit, on the same day and year aforesaid at the County aforesaid in a certain other discourse which the said Benjamin then & there had with divers other good & faithful Citizens of the State of and concerning the said Morgan, and the exercise of his said art or mystery of a Merchant, he the said Benjamin did falsely & maliciously in the presence and hearing of those Citizens speak & utter of & to the said Morgan other false scandalous and opprobrious words of the substance following "You" (the said Morgan meaning) "do not deal fair & honest" by means of which speaking of the said several false scandalous and opprobrious words, the said Morgan is greatly scandalized hurt & injured in his good name fame credit esteem & reputation, aforesaid and is greatly hurt & damnified in his said business insomuch that divers persons who were accustomed to trade with the said Morgan in buying & selling & lawfully merchandizing by reason of the speaking the said words have refused & still do refuse to have any dealing or concerns with the said Morgan, whereby the said Morgan is prejudiced & hath damage to the value of One thousand Dollars & therefore he brings suit &c. &c.
Ezekiel F. Chambers atty for Plff. pleages &c. John Doe & Richd. Roe.
Thereupon on motion of the said Morgan Brown jr. by his attorney aforesaid it is ruled by the Court here, that the said Benjamin Worrell answer to the Declaration aforesaid of him the said Morgan Brown, junior, in the plea aforesaid or Judgment by the Court here will be rendered against him in default thereof, and the said Benjamin Worrell by his attorney aforesaid prays further leave to imparle until the third Monday of September next, and then to answer to the declaration aforesaid of the said Morgan Brown, junior in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Morgan Brown junior also.
And now here at this day to wit the said third Monday of September, being the twenty