At which said third Tuesday of November, to wit, being the twenty first day of the same Month, in the year seventeen hundred and eighty six — and the day of the return of the aforegoing recited writ comes the said James Smith by his attorney aforesaid and the Sheriff of Frederick County to whom the same writ was directed also comes and makes return thereof to the Court here thus endorsed, to wit —

"Cepi" Th. Beatty Shff.

Whereupon the said Nicholas White being called appears, and at the prayer of the Plaintiff by his attorney aforesaid the said Nicholas White is adjudged to give special bail to the action aforesaid, Thereupon Samuel Shriver Thomas of the County aforesaid Gentleman present here in Court doth undertake and become pledge and Bail for the said Nicholas White, that if it shall happen that the said Nicholas White at the suit of the said James Smith in the plea aforesaid shall be convicted then the same Samuel Shriver Thomas doth grant as well the Debt aforesaid as all such Damages Costs and charges which to the aforesaid James Smith in that part shall be adjudged of his Lands and chattels to be made and to and for the use of the said James Smith to be levied if the said Nicholas White the Debt and Damages, Costs and charges aforesaid to the said James Smith shall not pay or himself to the prison and custody of the Sheriff of Frederick County aforesaid on that occasion render —

And the said Nicholas White by Baker Johnson his attorney defends the force and injury when and so forth and prays leave to Imparle hereunto until next Court and he hath it the same day is given to the Plaintiff also —

At which said next Court to wit, the third Tuesday and twentieth day of March seventeen hundred and eighty seven, come again the said parties Plaintiff and Defendant by their attorneys aforesaid and the said Defendant by his attorney aforesaid prays further leave to Imparle hereunto until the next Court and he hath it the same day is given to the Plaintiff also —

And now here at this day, to wit, the third Tuesday and twenty first day of August seventeen hundred and eighty seven comes again as well the said James Smith by his attorney aforesaid as the said Nicholas White by his attorney aforesaid, and the said Nicholas White by his said Attorney (as before) defends the force and injury when and so forth and saith that he cannot deny the action aforesaid of him the said James Smith nor but that the writing obligatory aforesaid is his Deed nor likewise but that the same James Smith hath sustained damage to the value of One hundred and fifty pounds Current Money in manner and form as the said James Smith above thereof against him hath declared — Wherefore the said James Smith by his attorney aforesaid prays Judgment and that his Debt aforesaid in form aforesaid acknowledged together with his Costs and charges by him about his suit in this part laid out and expended to him may be adjudged and so forth —

Therefore it is considered by the Justices here that the said James Smith recover against the said Nicholas White the sum of One hundred and fifty pounds Current Money his debt aforesaid in form aforesaid acknowledged and also three hundred and fifty nine pounds of Tobacco for his damages which he hath sustained as well by occasion of the detention of that Debt as for his costs and charges by him about his suit in this part laid out and expended to the said James Smith by the Court here with his assent adjudged and the said Defendant in mercy and so forth

Plaintiff releases the above Judgment on payment of £30. 12. 5. Interest on the same from the 20 November 1780 the date of the writ —

Test. William Ritchie Clk. —

Whereupon the said Nicholas White by his attorney aforesaid prays an appeal from the Judgment of the Court aforesaid so as aforesaid rendered to the Honorable the Judges of the General Court to be held at the City of Annapolis on the second Tuesday of October next which is granted upon his giving Bond with sufficient sureties agreeable to the directions of an Act of Assembly entitled "an act for regulating writs of Error and granting appeals from and to the Courts of Common Law within this province." Thereupon the said Nicholas White files in Court here the following Bond, to wit,

Know all Men by these presents that we Nicholas White, John Jacob Schley and Andrew Low are held and firmly bound unto James Smith in the Just and full sum of One hundred and sixty one pounds four Shillings and ten pence Current Money of Maryland and seven hundred and eighteen pounds of Tobacco to be paid to him the said James Smith his certain attorney, Executors Administrators or Assigns for the payment of which bind ourselves and each of us our and each of our heirs, Executors, Administrators and Assigns in and for the whole jointly and severally firmly by these presents sealed with our seals and dated this 24th day of September 1787 —

Whereas the above named James Smith hath obtained Judgment in Frederick County Court at August term last against the said Nicholas White in an action of Debt for as well the sum of Eighty pounds twelve shillings and five pence Current Money aforesaid as three hundred and fifty nine pounds of Tobacco Cost of Suit from which said Judgment the said Nicholas White hath prayed an appeal to the General Court — Now the condition of the above Obligation is such that if the above bound Nicholas White shall not pursue the directions of the Act of Assembly entitled an act for regulating writs of Error and granting appeals from and to the Courts of Common Law within this Province at the next General Court and prosecute the same appeal with effect and also satisfy and pay to the said James Smith his Executors, Administrators or Assigns in case the said Judgment