having or maintaining his action aforesaid against him ought not to be precluded because he saith that the aforesaid Brian Philpott hath not paid unto him the said Samuel Worthington the aforesaid sum of money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said Brian Philpot above by pleading hath alledged and of this prays may be enquired of by the Country and the aforesaid Brian Philpott in like manner &c forth.

Whereupon this cause standing ready for trial Command is given to the sheriff of Ann Arundel County that he cause to Come before the Judges of our General Court here on the second tuesday of October next twelve &c. by whom &c. and who neither &c to recognize &c because as well &c. the same day is given to the said parties then and there &c.

And now here at this day to wit the said second tuesday of October being the twelfth day of the same month Anno Domini seventeen hundred and ninety Come again as well the aforesaid Samuel Worthington by his attorney aforesaid as the aforesaid Brian Philpot by his attorney aforesaid But our said sheriff hath not sent his writ.

Nevertheless the said Brian Philpot by his attorney aforesaid relinquishing the averment above by him pretended saith that he cannot deny the action aforesaid of the aforesaid Samuel Worthington so as aforesaid against him brought nor but that he owes to the said Samuel Worthington the aforesaid sum of sixty eight pounds two shillings Current money aforesaid in such manner and form as the aforesaid Samuel Worthington above against him hath declared.

Therefore it is considered by the Judges here that the said Samuel Worthington recover against the said Bryan Philpott as well the sum of sixty eight pounds two shillings Current money his debt aforesaid in form aforesaid Confessed as also the sum of seven hundred and eighty six pounds of Tobacco by the Court here unto him on his assent adjudged as well for his damages sustained by occasion of the detention of that debt as for his Costs and Charges by him about his suit in this behalf laid out and escpended and the said Defendant in mercy &c.

Memorandum. The Plaintiff agrees to release the above Judgment

Judgment on payment of the principal Interest and Costs of suit and agrees to stay execution till the first day of January next payments if any to be allowed.

Test Jno. Gwinn Clk.

R.P. Francis King use of Forrest and Hoddart
against
W.C. Philemon Chew

Be it remembered that heretofore to wit. On the twenty first day of December anno Domini seventeen hundred and eighty eight the Plaintiff by Richard Potts his attorney sued out of our General Court here the State of Maryland's writ of Capias ad respondendum directed to the sheriff of Ann Arundel County in the words and figures following to wit.

The State of Maryland &c. To the sheriff of Ann Arundel County Greeting. We command you that you take Philemon Chew late of Ann Arundel County planter otherwise called Philemon Chew of Ann Arundel County and State of Maryland if he shall be found in your Bailiwick and him safe kep so that you have his body before the Judges of our General Court to be held at the City of Annapolis on the second tuesday of May next to answer unto Francis King in a plea that he render unto him the said Francis King the sum of two hundred and nine pounds twelve shillings and three pence Current money which to him he owes and from him unjustly detains and so forth.

Hereof fail not at your peril and have you then and there this writ.

Witness Robert Hanson Harrison Esquire chief Judge of our said Court the 15th day of November anno Domini 1788.

Issued the 21st day of December 1788. John Gwinn Clk.

R. Potts.

And the aforesaid Francis King by Richard Potts his attorney aforesaid declared against the aforesaid Philemon Chew in the plea aforesaid as follows to wit.

Western shore of Maryland and Ann Arundel County to wit. Philemon Chew late of Anne Arundel County planter otherwise called Philemon Chew of Anne Arundel County and State of Maryland was summoned to answer unto Francis King in a plea that he render unto him the said Francis King the sum of two hundred and nine pounds twelve shillings and three pence Current money which to him he owes and from him unjustly detain and so forth.

And