McKim Junior by his attorney aforesaid, as the said Josiah Beall of Thomas by his attorneys aforesaid; and the said Josiah Beall of Thomas by his attorney aforesaid (as before) defends the force and injury when and so forth, and saith that the aforesaid John McKim Junior his action aforesaid against him to have or maintain ought not &c. because he saith that he the said Josiah Beall of Thomas did pay unto the aforesaid John McKim Junior the said sum of money in the writing obligatory mentioned with legal Interest thereon according to the form and effect of the said writing obligatory and this he is ready to verify. Wherefore he prays Judgment if the aforesaid John McKim Junior his action aforesaid against him to have or maintain ought and so forth. And the aforesaid John McKim Junior by his attorney aforesaid saith that he by any thing by the said Josiah Beall of Thomas above in pleading alledged from having or maintaining his action aforesaid against him ought not to be precluded because he saith that the said Josiah Beall of Thomas hath not paid unto him the aforesaid John McKim Junior the aforesaid sum of money in the writing obligatory aforesaid mentioned, with the Interest thereon in such manner and form as the said Josiah Beall of Thomas above by pleading hath alleged and this he prays may be enquired of by the Country, and the said Josiah Beall of Thomas in like manner and so forth. Therefore let a Jury thereon appear before the Court here, on the second Tuesday of May next, by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties then and there and so forth. And now, at this day, to wit, the said second Tuesday of May being the fourteenth day of the same month, in the year of our Lord, one thousand seven hundred and ninety nine, come again into the General Court here, as well the aforesaid John McKim Junior by his attorney aforesaid, as the said Josiah Beall of Thomas by his attorney aforesaid; Nevertheless the said Josiah Beall of Thomas by his attorney aforesaid, relinquishing the averment aforesaid, above by him pretended says, that he cannot deny the action aforesaid of the aforesaid John McKim Junior so as aforesaid against him brought, nor but that he owes to the aforesaid John McKim Junior the aforesaid sum of three hundred and eleven pounds thirteen shillings and three pence Current Money in such manner and form as the aforesaid John McKim Junior above against him hath declared nor but that the said John McKim Junior hath sustained damage by reason of the detention of the said debt to the sum of one hundred pounds current

(Money)



Money besides his costs and charges by him laid out and expended, about his suit in this behalf and so forth, And hereupon the said John McKim Junior by his attorney aforesaid prays Judgment for the debt aforesaid so as aforesaid confessed, together with the damages aforesaid so as aforesaid acknowledged and also the Costs and Charges by him laid out and expended about his suit in this behalf to be adjudged to him and so forth.

Therefore, it is considered by the Court here that the said John McKim Junior, recover against the said Josiah Beall of Thomas as well the said sum of three hundred and eleven pounds, thirteen shillings and three pence Current Money the debt aforesaid in form aforesaid confessed, and the said sum of one hundred pounds Current Money the damages aforesaid in form aforesaid acknowledged to be sustained by reason of the detention of the said debt, as the quantity of seven hundred and forty one pounds of Tobacco by the Court here adjudged unto the said John McKim Junior on his assent for the Costs and Charges laid out and expended by him about his suit in this behalf and the said Josiah Beall of Thomas in Mercy and so forth.

Memorandum. on the fifteenth day of May in the year of our Lord, one thousand seven hundred and ninety nine. Judgment was rendered in this cause for the sum of three hundred and eleven pounds, thirteen shillings and three pence Current Money Debt, and the sum of one hundred pounds Current Money damages and Costs, damage to be released on payment of Interest on the Debt, from the second day of June seventeen hundred and ninety seven; Payments if any to be allowed; Stay Execution till first day of August next Plaintiff acknowledges the receipt of Two hundred Dollars on the eighth day of January seventeen hundred and ninety eight

Test. John Irwin Clerk.

| John McKim Junior against Thomas Beall of Samuel |
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Be it remembered, that heretofore, to wit, on the sixth day of February in the year of our Lord, one thousand seven hundred and ninety eight, the said John McKim Junior by Walter Dorsey his attorney sued out of the General Court, the Writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Allegany County, in the words and figures following, to wit.

The State of Maryland, ss. To the Sheriff of Allegany County. Greeting. You are hereby commanded to take Thomas Beall of Samuel late of Allegany County Merchant if he shall be found

(in your)