yourselves special Bail for the said John Rousby Plater at the suit of the said Walter Smith and Clement Smith in an action of Trespass on the case brought by the said Walter Smith and Clement Smith against the said John Rousby Plater in the General Court, They acknowledge themselves to be content therewith this Twenty sixth day of September 1800. Before Danl Reintzell Thos Corcoran.

To the Honorable the Judges of the General Court.

I do hereby authorise and empower James S Morsell Esquire to appear for me in the above suit.

And thereupon, on the motion of the aforesaid Walter Smith and Clement Smith by their Attorney aforesaid, It is ruled by the Court here, that the said John Rousby Plater answer to the declaration aforesaid of the aforesaid, Walter Smith and Clement Smith, in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; And the said John Rousby Plater by his Attorney aforesaid, defends the force and injury, when, and so forth and prays leave of the Court here to imparle until the second Tuesday of May next, and then to answer to the declaration aforesaid of the aforesaid Walter Smith and Clement Smith in the plea aforesaid and to him it is granted; the same day is given to the aforesaid Walter Smith and Clement Smith also.

At which said second Tuesday of May, being the twelfth day of the same month, in the year of our Lord one thousand eight hundred and one; to which said day the said John Rousby Plater had leave to imparle, and then to answer to the declaration aforesaid of the aforesaid Walter Smith and Clement Smith in the plea aforesaid, come again into the General Court here, as well the aforesaid Walter Smith and Clement Smith by their Attorney aforesaid, as the said John Rousby Plater by his Attorney aforesaid; And the said John Rousby Plater by his Attorney aforesaid, as before, defends the force and injury when, and so forth, and saith that he did not assume upon himself in manner and form as the aforesaid Walter Smith and Clement Smith above against him have complained, and of this he puts himself upon the Country, and the aforesaid Walter Smith and Clement Smith in like manner, and so forth; Therefore let a Jury thereon appear before the Court here on the second Tuesday of October 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 parties aforesaid then and there and so forth.

And now at this day, to wit, the said second Tuesday of October, being the thirteenth day of the same month, in the year of our Lord one thousand eight hundred and one; come again into the General Court here, as well the aforesaid Walter Smith and Clement Smith by their Attorney aforesaid as the said John Rousby Plater by his Attorney aforesaid; And the said John Rousby Plater by his Attorney aforesaid, relinquishing the averment aforesaid, above by him pretended; says, that he cannot deny the action aforesaid of the aforesaid Walter Smith and Clement Smith as aforesaid against him brought, nor but that the aforesaid Walter Smith and Clement Smith have sustained damage to the sum of Eight hundred pounds current money of Maryland, by occasion of the non performance of the promise and assumption aforesaid, in manner and form as the aforesaid Walter Smith and Clement Smith above against him have declared; Therefore it is considered by the Court here, that the aforesaid Walter Smith and Clement Smith recover against the said John Rousby Plater as well the sum of Eight hundred pounds current money of Maryland, their damages aforesaid, in form aforesaid confessed, to be sustained by occasion of the non performance of the promise and assumption aforesaid, as also the quantity of Seven hundred and ninety nine pounds of Tobacco, by the Court here unto the aforesaid Walter Smith and Clement Smith on their assent adjudged, for their costs and charges by them about their suit in this behalf laid out and expended, and the said John Rousby Plater in Mercy and so forth.

Memorandum, Judgment rendered in this Cause on this fifteenth day of October in the year of our Lord one thousand eight hundred and one, for the sum of Eight hundred pounds current money of Maryland the damages laid in the declaration, and costs of suit; the said Damages to be released on the payment of the sum of Eight hundred dollars with interest thereon from the twenty eighth day of May in the year of our Lord one thousand eight hundred, and twelve Shillings and nine pence costs of protest, and Costs, And the Plaintiff agree to stay Execution until the first day of January next,

26 fa^s

Test. John Gwinn Clk.

Francis Deakins's Lessee
against
Bernard O Neill.

Be it remembered, that heretofore, to wit, on the Eighth day of June in the year of our Lord one thousand Eight hundred, Paul Justright Lessee of Francis Deakins by John Thompson his Lessee