motion of the aforesaid William Kilty in his proper person, it is ruled by the Court here, that the said Nathan Smith give special bail in the plea aforesaid; Whereupon the said Nathan Smith by his Attornies aforesaid, files in Court here, a certain bail piece and which being approved of by the Court here, is in form following to wit.

William Kilty Plaintiff against Nathan Smith Defendant	You Frisby Freeland and Zach Meems do jointly and severally acknowledge Special bail for the said Nathan Smith at the suit of

the said William Kilty in an Action of Debt brought by the said William Kilty against the said Nathan Smith in the General Court, They acknowledge themselves content therewith this 9th of May 1800

Before Rezin Hotep Theodore Hodgkin.

To the Honble the Judges of the General Court.

And the said Nathan Smith by his Attornies aforesaid, defends the force and injury when and so forth, and prays leave of the Court here to imparle until the Second Tuesday of October next, and to him it is granted; the same day is given to the aforesaid William Kilty also.

At which said second Tuesday of October being the fourteenth day of the said month, in the year of our Lord one thousand eight hundred to which said day the said Nathan Smith had leave to imparle, comes again into the General Court here, as well the aforesaid William Kilty in his proper person, as the said Nathan Smith by his Attornies aforesaid; And thereupon, on motion of the aforesaid William Kilty in his proper person, it is ruled by the Court here, that the said Nathan Smith answer to the declaration aforesaid of the aforesaid William Kilty in the plea aforesaid or Judgment by the Court here will be entered against him in default thereof;

And the said Nathan Smith by his Attornies aforesaid, as before defends the force and injury, when and so forth, and prays further 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 William Kilty in the plea aforesaid, and to him it is granted; the same day is given to the aforesaid William Kilty also.

At which said second tuesday of May being the twelfth day of the said month, in the year of our Lord one thousand eight hundred and one, to which said day, the said Nathan Smith had further leave to imparle

(and)

and then to answer to the declaration aforesaid of the aforesaid William Kilty in the plea aforesaid, comes again into the General Court here, as well the aforesaid William Kilty in his proper person, as the said Nathan Smith by his Attornies aforesaid; And the said Nathan Smith by his Attornies aforesaid, as before defends the force and injury when and so forth, and saith that the aforesaid William Kilty his Action aforesaid against him to him to have or maintain ought &c, because he saith that the said George Smith in the writing obligatory aforesaid mentioned did pay unto the aforesaid William Kilty the said Sums of Current money in the Condition of the said writing obligatory mentioned with legal interest thereon according to the form and effect of the Condition of the said Writing obligatory and this he is ready to verify; wherefore he prays Judgment if the aforesaid William Kilty his Action aforesaid against him to have or maintain ought &c. And the aforesaid William Kilty in his proper person saith that he by any thing by the said Nathan Smith above in pleading alledged from having and maintaining his action aforesaid against him ought not to be precluded because he saith, that the said George Smith in the writing obligatory aforesaid mentioned did not pay unto him the aforesaid William Kilty the aforesaid Sums of Money in the Condition aforesaid mentioned with the interest thereon in manner and form as the said Nathan Smith above by pleading hath alledged, and this he prays may be enquired of by the Country, and the said Nathan 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, comes again into the General Court here, as well the aforesaid William Kilty in his proper person as the said Nathan Smith by his Attornies aforesaid; And the said Nathan Smith by his Attornies aforesaid relinquishing the averment aforesaid, above by him pretended says that he cannot deny the action aforesaid of the aforesaid William Kilty so as aforesaid against him brought, nor but that he owes to the aforesaid William Kilty the aforesaid Sum of Three thousand nine hundred and eight pounds five

(shillings)