render unto him the full and just sum of Three hundred and sixty eight pounds sterling
which to him he owes and unjustly detains &c. which said Plea as it is said still
depends before you our said Justices undetermined and we being willing for divers causes
that the plea aforesaid undetermined as aforesaid shall be heard and determined before
the Judges of our General Court. Therefore we command you that you have the body
of the said Benjamin Benny by whatsoever name or names he may be called in
the plea aforesaid together with the cause of his caption and detention and all things
thereunto relating before the Judges of the General Court to be held for the Eastern Shore
of this State at Talbot County Court House the second Tuesday of April next that
the Judges of our said Court may further proceed therein as to justice appertains
and so forth. Hereof fail not at your peril and have you then and there this writ.
Witness the honourable Robert Hanson Harrison Esq.r chief Judge of our said Court
this twenty eighth day of September Anno Dominii 1787.

Issued the 7th day of November 1787. (R.) James Earle Clk.

Which being read and heard the same is by the Court here allowed: And it
is ordered by the same Court that the Cause of the Caption and Detention of
the said Benjamin Benny together with the Record and Process aforesaid and
all Proceedings relating to the same be accordingly transmitted before the honour-
able the Judges of the General Court at their Court to be held for the Eastern
Shore of the said State at Talbot County Court House on the second Tuesday of
April next ensuing that the said Judges may further proceed therein as to justice
appertains and so forth. Benj.n Stevens Clk.

Talbot County, to wit. I hereby certify that the Proceedings in this Cause as within
mentioned were faithfully & exactly copied from the Records and Proceedings of
Talbot County Court now remaining in my office. In Testimoney whereof I
have hereto set my hand and affixed the Public Seal of my office
this nineteenth day of March in the year 1788. Benj.n Stevens Clk
Tal. County Court.

(Seal)

And the Sheriff of Talbot County aforesaid came and also made return that he had
then and there the body of the said Benjamin Benny agreeable to the exigence
of the same writ: whereupon came here into Court as well the said James Kennady
by William Hayward his Attorney as the said Benjamin Benny by his said
Attorney; and the said Benjamin by his Attorney afs.d defended the wrong and
injury when and so forth, and prayed the liberty of imparling thereon until the
second Tuesday of September then next following; and the same was granted unto him
the same day was given to the said James Kennady then and so forth.

At which said second Tuesday of September in the year Seventeen hundred and eighty
eight, here came into Court Mary Kennady and David Kennady by William Hay-
ward their Attorney, and to the Court here suggested that the aforesaid James Kennady
was dead, and that he died since the last Continuance, to wit, at Talbot County afs.d
and that he left and appointed them the said Mary and David Executors of his last
will and Testament, and prayed leave of the Court here to be made Plaintiffs instead
of the said James Kennady deceased, and it was granted unto them. And the said
Benjamin Benny by his Attorney aforesaid also came here into Court, whereupon at the
prayer of the said Mary and David Executors aforesaid it was ruled by the Court
here that the said Benjamin should file his Plea and answer to the Declaration
aforesaid by the second Tuesday of April then next ensuing or that Judgment should
be rendered against him by default. The same day was also given to the said Mary &
David then and so forth. And now here at this day to wit, the said
second Tuesday of April, in the year fourteen hundred and eighty nine, here come
again the Parties afs.d by their Attorneys afs.d and the said Benjamin Benny by his
Attorney afs.d defends the wrong and injury when and so forth, and says that he
cannot gainsay the action afs.d of the said Mary and David Exors as afs.d so as afs.d
against them brought, nor can he deny but that the writing obligatory afs.d is the
deed of him the said Benjamin, nor but that he oweth to the said Mary Kennady
and David Kennady Exors afs.d the afs.d sum of three hundred and forty eight pounds
Current money as above against him, the said James Kennady hath complained. There-
fore it is considered by the Court here that the said Mary Kennady and David
Kennady Executors aforesaid do recover against the said Benjamin Benny the debt
aforesaid in form aforesaid acknowledged as also the quantity of Eight hundred and
thirty seven pounds and four fifths of a pound of Tobacco, as well for their Damages
which they have sustained by occasion of the detention of that debt as for their
Costs and Charges by them about their suit in this behalf expended: Unto the
said Mary Kennady and David Kennady by the Court here with their assent
adjudged and so forth. And the said Benjamin Benny in mercy and so forth.

James Earle Clk.

Judgment was rendered on this Action on the 18th day of April Anno Dominii 1789
for Penalty and Costs: To be released on Payment of Principal, Interest &
Costs. Stay of Execution till September Term next. Payments if any to be allowed.