the said Richard Gresham Smyth, in an Action of Debt brought by the said Richard Gresham Smyth against the said Robert Meeks in the General Court. They acknowledge themselves to be content therewith this 20th day of March 1789.

John Scott

To the Honorable the Judges of the General Court. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, and by order of the Court here, thereon was further continued until the second Tuesday in Sept. next. At which said day, to wit the second Tuesday of September seventeen hundred and eighty nine come again the Parties aforesaid by their Attorneys aforesaid, and the aforesaid Richard by his Attorney aforesaid prayed that a rule of Court be made for the said Robert to file his plea and answer to the Declaration aforesaid of him the said Richard at the next April Term, and it was granted unto him. At which day, to wit, the second Tuesday of April seventeen hundred and ninety here come again the parties aforesaid by their Attorneys aforesaid and the aforesaid Robert by his Attorney aforesaid defends the force and injury when and &c forth, and saith that the aforesaid Richard ought not to have and maintain his Action thereof against him the said Robert because he saith, saith that he the said Robert, before the impetration and suing out of the original Writ in this cause, did pay to him the said Robert the aforesaid sum of money in the Condition specified together with all the Interest thereon due according to the form and effect of the said Condition, and this he is ready to verify, wherefore he prays Judgment whether the said Richard his Action aforesaid thereof against him to have and maintain ought and &c forth. Nevertheless the said Robert by his Attorney aforesaid relinquishing the averment above by him pretended says that he cannot deny the Action aforesaid of the said Richard as aforesaid against him brought nor but that he owes to him the said Richard the aforesaid sum of eight hundred and twenty pounds current money aforesaid, in manner and form as the said Richard above against him hath declared. Therefore it is considered by the Judges here that the said Richard do recover against the said Robert as well the sum of eight hundred and twenty pounds current money of Maryland his Debt aforesaid as the Quantity of four hundred and ninety nine pounds of Tobacco by the Court here unto the said Richard Gresham Smyth with 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 expended and the said Robert Meeks in mercy &c.

James Earle Clk.

Judgment was confessed in this Action on the fifteenth day of April seventeen hundred and ninety with a Stay of Execution till September then next following. Penalty to be released of Payment of Principal, Interest and Costs.

Thomas Smyth, Richard Gresham Smyth & Thomas Smyth, the younger, use of William Bell

vs

John Kemp.

Memorandum, the Plaintiffs by William Pelgham their Attorney sued out the State of Maryland's Writ of Capias Adrespondendum, the tenor whereof ensues in the following words, to wit. The State of Maryland &c. To the Sheriff of Kent County, Greeting. We command you that you take John Kemp late of Kent County Mariner if he shall be found in your Bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held for the Eastern Shore of this State, in Talbot County, at the Court house in the same County, the second Tuesday of April next, to answer unto Thomas Smyth, Richard Gresham Smyth and Thomas Smyth the younger of a plea that he render unto them the sum of one hundred and nineteen pounds two shillings and eleven pence current money of Maryland which to them he owes and unjustly detains and &c 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 first day of October Anno Domini 1788.

Issued the 13th day of March 1789.

W. T. James Earle Clk.

And the aforesaid Thomas Smyth and Sons by their Attorney aforesaid declare against the said John in the plea aforesaid in the following words, to wit. Eastern Shore of Maryland Kent County, Set. John Kemp late of Kent County Mariner, was summoned to answer unto Thomas Smyth, Richard Gresham Smyth and Thomas Smyth the younger of a plea, that he render unto them the sum of one hundred and nineteen pounds, two shillings and eleven pence current money of Maryland, which to them he owes and unjustly detains and &c forth. And whereupon the said Thomas Smyth, Richard Gresham Smyth and Thomas Smyth the younger by William Pelgham their Attorney say that whereas the said John Kemp on the ninth day of April in the year of our Lord seventeen hundred and eighty seven at the County aforesaid