April Term 1790...

first day of October Anno Domini 1768.

Issued the 2d day of April 1789.

Test James Earle Clk.

And the said Oliver Smith by his Attorney aforesaid, declares against the said Joshua in the plea aforesaid in the following words, to wit: Kent County, to wit: Joshua Vansant late of Kent County planter otherwise called Joshua Vansant of Kent County Maryland was summoned to answer unto Oliver Smith in a plea that he render unto him the just and full sum of two thousand and sixty one pounds three shillings current money which to him he owes and unjustly detains and so forth. And whereupon the aforesaid Oliver by Turbutt Wright his Attorney saith that whereas the aforesaid Joshua on the twentieth day of May in the year of our Lord one thousand seven hundred and eighty eight, to wit, at Kent County aforesaid by his certain writing obligatory had acknowledged himself to be held and firmly bound unto the said Oliver and a certain Thomas Cooper since deceased and whom the aforesaid Oliver hath survived in the aforesaid sum of two thousand and sixty one pounds three shillings current money to be paid to the said Oliver Smith and Thomas Cooper when afterwards he should be thereunto required. Nevertheless the aforesaid Joshua altho' often thereunto required the aforesaid sum of two thousand and sixty one pounds three shillings current money to them the said Oliver and Thomas in the lifetime of the said Thomas or to the said Oliver since the Death of the said Thomas hath not rendered or paid, but the same to the said Oliver and Thomas hitherto to render or pay he hath altogether refused and to the said Oliver still doth refuse, wherefore he the said Oliver saith he is the worse and hath Damage to the value of two thousand and sixty one pounds three shillings current money and therefore he brings suit and so forth, and he brings here into Court the writing obligatory aforesaid sealed with the seal of the aforesaid Joshua which the Debt aforesaid in form aforesaid witnesseth the Date whereof is the same day and year aforesaid and so forth.

Turbutt Waight for Plff pledges pr. John Doe and Richard Roe...

At which said second Tuesday of April seventeen hundred and eighty nine, being the day of the return of the aforegoing writ came the said Oliver by his Attorney aforesaid and the Sheriff of Kent County to whom the same Writ was directed likewise came and made return thereof to the Court here thereon

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endorsed as follows, to wit "Capi" Edward Worrell Shff. And the said Joshua by William Tilghman his Attorney came here into Court, and thereupon at the prayer of the said Oliver, the said Joshua was ruled to give Special Bail in the plea aforesaid; whereupon the said Joshua by his Attorney aforesaid filed in Court here the following Bail Piece, to wit:

Oliver Smith Plff
vs.
Joshua Vansant Defr

} You William Spearman and Jacob Comegys do jointly and severally acknowledge yourselves Special Bail for the said Joshua Vansant at the suit of the said Oliver Smith in Action of Debt, brought by the said Oliver Smith against the said Joshua Vansant in the General Court. They acknowledge themselves to be content thereuith this tenth day of April 1789 before us

Wm Grindage, John Thomas

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 of September then next following. At which said second Tuesday of September seventeen hundred and eighty nine, came again the parties aforesaid by their Attorneys aforesaid and the said Oliver by his Attorney aforesaid prayed that a rule of Court be made for the said Joshua to file his plea and answer to the Declaration aforesaid of him the said Oliver at the next April Term, and it was granted unto him. 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 of April then next following. And now here at this day, to wit, the second Tuesday of April seventeen hundred and ninety, come again the parties aforesaid by their Attorneys aforesaid and the said Joshua by his Attorney aforesaid, defends the force and injury when and so forth, and saith that he cannot gainsay the Action aforesaid of the said Oliver, nor can he deny but that he owes unto the said Oliver the aforesaid sum of two thousand and sixty one pounds three shillings current money in manner and form as the said Joshua above against him hath complained; therefore it is considered by the Court here, that the said Oliver do recover against the said Joshua his aforesaid in form aforesaid acknowledged; as also the Quantity of four hundred and eighty four and three fifths pounds of Tobacco, as well for his Damages which he hath sustained by occasion of the detention of that Debt, as for his