money and Quantity of Tobacco in the writ of fieri facias mentioned as yet unpaid and unsatisfied: Wherefore it is considered and adjudged, by this Court that the said State of Maryland have her execution against the said Richard Tilghman Earle Executor as aforesaid, as well for the sum of money and Quantity of tobacco aforesaid, as also for the further Quantity of six hundred and twenty three pounds of Tobacco which to the said State of Maryland was adjudged for her additional costs and Charges by her about her suit in this behalf after Execution after Judgment aforesaid had and rendered, To be levied of the goods and Chattels which were of the said Samuel Earle, at the time of his death in the hands of the said Richard Tilghman Earle to be Administered if so much in his hands he hath, and if he has not, then the Damages and Costs aforesaid, to be levied of the proper goods and Chattels of the said Richard Tilghman Earle Executor as aforesaid, and the said Richard Tilghman Earle in mercy &c.

James Earle for Plff.

Judgment was confessed in this action in the Tenth day of September anno Domini 1794. for the sum of three thousand pounds Current money. Costs. Tobacco released on payment of Payments till allowed, Stay execution till next Court.

John Price & Wife, use of James Kent, against Hewitt Smith

Writ remembered that on the fourth day of August anno Domini one thousand seven hundred and ninety three, Command was given to the Sheriff of Queen Anns County, that he should take Hewitt Smith late of Queen Anns County, farmer, if he should be found in his Bailiwick and him safely keep so that he might have his Body before the Judges of our General Court to be held at Easton in Talbot County, the second Tuesday of September next to answer unto John Price, and Elizabeth his wife of a plea that he render unto them the sum of one hundred and ninety one pounds nineteen shillings and eight pence Current money which to them he owes and from them unjustly detains &c. &c. forth, and that he the said Sheriff should not fail at his peril and should have then and there this writ &c. At which said second Tuesday in September term, in the year Seventeen hundred and ninety three, being the day for the return of the aforegoing writ here came the said John Price & Elizabeth his wife by William Bromley Junior their attorney, and Thomas Bryan Sheriff of the County aforesaid, to the Court here made a return that he had taken the Body of the said Hewitt Smith, and the same has ready at the day and place aforesaid according to the Exigence of the said writ, upon the said Hewitt Smith, by James Houston and James Scott his attorneys Came here into Court, thereupon the said Hewitt Smith at the prayer of the said John Price and wife by their attorney aforesaid was ruled to give special bail in the plea aforesaid, whereupon the said Hewitt Smith by his attorneys aforesaid, offered in Court here the following Bail, viz. to wit,

John Price & Wife, Plaintiffs against Hewitt Smith Defendant

} You Henry Archister and John Hogans jun. do jointly and severally acknowledge yourselves Special Bail for the said Hewitt Smith at the suit of the said John Price

wife in an action of Debt brought by the said John Price and wife against the said Hewitt Smith in the General Court, they acknowledge themselves to be Contd. chargeable the fourteenth day of April seventeen hundred and ninety four. before

Geo: Jackson,
Thomas Roberts.

The Hewitt the Judges of the Gen: Court

James Scott Esquire is duly empowered to appear for me in the above suit.

And thereupon day was given as well to the said John Price and wife as to the said Hewitt Smith by the Court here until the second Tuesday in April then next following. At which said second Tuesday in April term, in the year seventeen hundred and ninety four, here comes again as well the said John Price & wife, as the said Hewitt Smith by their attorneys aforesaid, and the said John Price and wife by their attorney aforesaid, offered their Declaration in the plea aforesaid against the said Hewitt Smith, in manner and form following, to wit,

Eastern Shore State of Maryland, Queen Anns County, to wit, Hewitt Smith, late of Queen Anns County yeoman otherwise called Hewitt Smith, of Queen Anns County, farmer, is indebted unto John Price and Elizabeth his wife (lately called Elizabeth Elliott) of a plea that he render unto them the sum of One hundred and ninety one pounds nineteen shillings and eight pence Current money which to them he owes and from them unjustly detains and so forth. And Whereupon the said John Price and Elizabeth Price, by William Bromley Junior their attorney say that whereas the said Hewitt Smith on the twentieth day of January in the year one thousand seven hundred and ninety two, at Queen Anns County aforesaid by his certain writing Obligatory acknowledged himself to be held and firmly bound unto her the said Elizabeth Price, while she was sole by the name of Elizabeth Elliott, in the aforesaid sum of One hundred and ninety one pounds nineteen shillings and eight pence Current money to be paid to her the said Elizabeth when afterwards he the said Hewitt should thereto be required, Nevertheless the said Hewitt Smith the aforesaid sum of Current money to the said Elizabeth whilst she was sole or to the said John and Elizabeth after the marriage between them celebrated (to the effect required) hath not rendered or paid but the same to the said John Price and Elizabeth Price) hath altogether refused and still doth refuse to render the same to the said John and Elizabeth to their damage of Fifteen the said John and Elizabeth in the sum of five hundred pounds Current money and therefore they bring suit and so forth, and they here in Court the writing Obligatory aforesaid shew with the seal of the said Hewitt Smith which the debt aforesaid in form aforesaid testifies the date whereof is the day and year aforesaid and so forth,

Wm Bromley Junr for the Plffs. Pledges &c. John Doe & Richard Roe,

The writing Obligatory mentioned in the aforegoing Declaration follows in words to wit,

Know all men by these presents that we Hewitt Smith and Benjamin Elliott of Queen Anns County, farmers, are held and firmly bound unto Elizabeth Elliott of the same Place her executors Administrators or assigns, in the full and lawful sum of