Judgments.

Principal, Interest and Costs - with Stay of Execution until the next Term, payment to be allowed.

William Hemsley
against
Alexander Robertson

Be it remembered that on the fifth day of March in the year of our Lord one thousand seven hundred and ninety eight, a certain William Hemsley by Nicholas Hammond Esquire his Attorney, sued out of our Eastern Shore General Court, the State of Maryland's Writ of Scirefacias against a certain Alexander Robertson, directed to the Sheriff of Caroline County, in the words and figures following, to wit: — "The State of Maryland, &c. To the Sheriff of Caroline County, Greeting: Whereas, at a General Court, held at Easton the second Tuesday of April Anno Domini seventeen hundred and ninety four, before the Honorable, the Judges of the same Court, a certain William Hemsley did recover Judgment against a certain Alexander Robertson late of Caroline County, for as well the sum of two hundred and thirty pounds Current money a certain Debt, as also the quantity of five hundred and twenty six pounds of Tobacco, which by consideration of the same Court, was then and there adjudged unto the said William Hemsley, 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 that behalf laid out and expended, as by the Record and process thereof in our said Court remaining likewise manifestly appears. — And whereas the said Alexander Robertson hath not paid the Condemnation of the Court in the plea aforesaid, nor rendered his body to the Custody of the Sheriff of the Caroline County in satisfaction thereof, as by the insinuation of the said William Hemsley we have received, and because we will that those things which in our said Court are rightly done and transacted, should be brought to due Execution, We Command you, that by good and lawfull men of your Bailiwick you make known unto the said Alexander Robertson that he be and appear before the Judges of our said General Court, the Court at Easton, the second Tuesday of April next, to shew cause if any for himself he hath, or knoweth why the said William Hemsley, Execution of the Debt, Damages and Costs aforesaid against him the said Alexander Robertson according to the recovery aforesaid, to have, ought not, if to him it shall seem meet, and have you then and there the names of those before whom you shall make the same known unto him, and this Writ. — Witness the Honorable Robert Goldsborough Esquire Chief Judge of our said Court, the 12th day of September Anno Domini 1797. — Witness the 5th day of March 1798. — A. R.

James Earle Junr. Clerk.

September Term 1798.

At which said second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight (being the day for the return of the aforegoing Writ of Scire-facias) came into Court the said William Hemsley by Nicholas Hammond Esquire his Attorney and the Sheriff of Caroline County, to whom the same Writ was in form aforesaid directed likewise came, and made return thereof to our said Court thus endorsed, to wit, — "Made known, Dukar Thompson, Shff." — Then the said Alexander Robertson being called, appeared in Court by Thomas James Bullitt Esquire his Attorney. And thereupon, on motion of the said William Hemsley by his Attorney aforesaid it was ruled by the Court that the said Alexander Robertson answer to the Writ of Scirefacias aforesaid, of him the said William Hemsley in the plea aforesaid. — And the said Alexander Robertson by his Attorney aforesaid prayed leave of the Court to imparle unto the next Term, and he had it. The same day was given to the said William Hemsley, then, &c. — And now here, at this day, to wit, the second Tuesday of September in the year of our Lord one thousand seven hundred and ninety eight, comes again into Court the parties aforesaid by their Attornies aforesaid. And the said Alexander Robertson by his Attorney aforesaid, says, that the said Writ of Scirefacias in form aforesaid sued, is not sufficient in Law to maintain him the said Hemsley to have his Execution aforesaid against him the same Robertson for the Debt, Damages and Costs aforesaid in the said Writ mentioned, to which said Writ the said Robertson hath no necessity, nor is by the Law of the Land obliged to answer; and this he is ready to verify. Wherefore, for that the said Writ of Scirefacias is not rightfully sued, and is insufficient in Law, the same Robertson prays Judgment, and that the same Hemsley may be precluded from having his Execution aforesaid against him for the Debt, Damages and Costs aforesaid, &c. — Nevertheless, the same Robertson by his Attorney aforesaid relinquishes his Averment aforesaid by him above pretended, and says, that he cannot shew cause why the said William Helmsley should not have Execution against him the same Alexander Robertson for the Debt, Damages, Costs and Charges aforesaid, according to the force, form and effect of the recovery aforesaid. — Therefore it is considered by the Court here that the same William Hemsley have Execution against him the same Alexander Robertson as well for the Debt, Damages, Costs and Charges aforesaid, in the Writ of Scirefacias aforesaid mentioned, according to the force, form and effect of the recovery aforesaid, as also the quantity of five hundred and eighty five pounds of Tobacco by the Court here unto him the said William Hemsley adjudged for his Costs and Charges which he hath sustained by reason of the delay of the Execution of the Judgment aforesaid. — And the said Alexander Robertson in mercy, &c.

Test.

James Earle Junr. Clerk.