Attorney aforesaid further defended the force and injury when &c. and said that he did not assume upon himself in manner and form as the said William Eubleton above hath complained against him, and of this he put himself upon the Country &c. And the said William Eubleton in like manner &c. Therefore let a Jury thereupon appear before our General Court on the second Tuesday of September next, by whom &c. and who neither &c. to recognize &c. because as well &c. the same day was given to the parties aforesaid there &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 nine, comes again into Court the parties aforesaid by their Attornies aforesaid; Whereupon for trying the issue aforesaid, it is ordered by the Court here that twenty persons from the panel of Petit Jurors returned to the Court here by the several Sheriffs of the different Counties of the Eastern Shore, be drawn by ballot according to the Act of Assembly in such cases made and provided; And thereupon, the twenty Jurors being so drawn by ballot and written upon two lists, one of which said Lists is delivered to the Counsel for the respective parties, and the Counsel for each of the said parties having stricken out four persons from the said Lists, thereupon the remaining twelve persons being called, come; that is to say, Charles Emory - Foreman - John Dudy, John Ralph, William C. Dudley, Daniel McDonnell, Mitchell Rufum, William Potter, John Bacon, John Thompson, James Goldsborough, George Lewis and William Gant who being empanneled and sworn to say the truth in the premises, upon their Oath do say that the said William Smith did undertake and promise in manner and form as the said William Eubleton above against him complains; and they assess the Damage of the said William Eubleton by reason of the nonperformance of the promises and Assumptions aforesaid to the sum of ninety two pounds two shillings and six pence Current money - Therefore it is considered by the Court here that the said William Eubleton recover against the said William Smith as well the said sum of ninety two pounds two shillings and six pence Current money, by the Jurors aforesaid in form aforesaid assessed, for his Damages which he hath sustained by reason of the nonperformance of the promises and Assumptions aforesaid, as the Quantity of Pounds of Tobacco by the Court here adjudged unto the said William Eubleton for his Costs and Charges by him about his suit in this behalf laid out and expended - And the said William Smith in mercy &c. Test. James Earle Junr. Clerk -



State, use of Robert Buchanan Assignee of Anna Maria Holliday and James Holliday Executors of Henry, who was Executor of James Holliday -

against

Philip Reed

Be it remembered that on the eighteenth day of July in the year of our Lord one thousand seven hundred and ninety seven, Command was given to the Sheriff of Kent County, to take Philip Reed late of Kent County, if he should be found in his Bailiwick, and him safe keep, so that he might have his body before the Judges of our General Court, to be held at Easton, in Talbot County, on the second Tuesday of September then next, to answer unto the State of Maryland, of a plea that he render unto the said State the sum of five thousand pounds Current money, which to the said State he owes, and from the said State unjustly detains &c. And that thereof he the said Sheriff should not fail at his peril, and should have then &c. there that Writ &c. At which said second Tuesday of September in the year of our Lord one thousand seven hundred and ninety seven (being the day for the return of the aforegoing Writ) came into Court the said State of Maryland by Luther Martin and William Barroll Esquires, its Attornies, and the Sheriff of Kent County, to whom the same Writ was directed likewise came, and made return thereof to the said General Court, thus endorsed, to wit; — "Cepi. C. Hale Shff" — And the said Philip Reed being called appeared in Court by John Scott Esquire his Attorney, and defended the force and injury when &c. and prayed leave of the Court to imparle unto the next Term, and he had it; The same day was given to the said State of Maryland, then &c. At which said next Term, to wit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety eight, came again into Court the parties aforesaid by their Attornies aforesaid; And the said State of Maryland by its Attorney aforesaid declared against the said Philip Reed in the plea aforesaid in manner & form following, to wit. — Eastern Shore, General Court. "Kent County Sct. Philip Reed late of Kent County, was summoned to answer unto the State of Maryland, of a plea that he render unto the said State the sum of five thousand pounds Current money, which to the said State he owes, and from the said State unjustly detains &c. And whereupon the said State by William Pinkle its Attorney, saith, that whereas the aforesaid Philip, on the eleventh day of June, in the year of our Lord seventeen hundred and ninety three, at the County aforesaid, by his certain writing Obligatory, acknowledged himself to be held and firmly bound unto the said State, in the aforesaid sum of five thousand pounds Current money, to be paid unto the said State, when afterwards he should be thereunto required - Nevertheless the aforesaid Philip the aforesaid sum of money (although often thereunto required) the hath not rendered & paid, but the same, to the said State to render or pay, he hath hitherto altogether refused, and still doth refuse,