

Tuesday 19th. April 1785

The Council met.

Present His Excellency William Paca Esquire Governor.

The Honorable

Aquila Paca, John Davidson and Samuel T. Wright Esquires.

The Council adjourned 'till tomorrow morning 11 o'clock.

Wednesday 20th. April 1785

The Council met.

Present as on Yesterday.

On Consideration of Mr. Clement Sewell's Claim as Administrator of Mrs. Smith and the Obligation he has produced executed by Mr. Chalmers on which he founds the said Claim it appears that he has mistaken the Nature and Object of Mr. Chalmer's Obligation. Mr. George Smith owed Mr. Chalmers £1012-10-2 this Balance is declared to be due and owing and endorsed upon the Obligation, which Declaration and Indorsement on the Bond is conclusive Evidence of the Debt from Smith to Chalmers. To pay this Debt Smith assigns to Chalmers Mr. Corr's Mortgage of Lands in Jamaica. Mr. Smith also owed £1087-10-0 to the Swifts. To pay the latter Debt Mrs. Smith having an Estate of her Own in Pennsylvania called Landau agrees to Mortgage the same for Swifts Debt on the [p 33] prospect of Reimbursement out of Corr's Mortgage which was assigned to Mr. Chalmers. Mr. Smith therefore takes Mr. Chalmers Obligation to pay her the Surplus of Corr's Mortgage after discharging his own Claim of £1012-10-0 Current Money aforesaid, So that Mr. Chalmers's Obligation does not appear as intended to be an Obligation of Indemnity to Mrs. Smith for Mortgaging her Estate for Swifts Debt but merely an Obligation to account for the Surplus of Corr's Mortgage if any, after paying his own Debt as aforesaid. From the Language in the Obligation, it seems Mrs. Smith had no Doubts of the sufficiency of the Surplus: but from an Account produced of the Monies due and received on Corr's Mortgage there does not appear to be enough even to pay Mr. Chalmers own Debt. The Claim therefore of Mr. Sewell as Administrator aforesaid is not admissible.

The Council adjourned 'till tomorrow morning 11 o'clock.

Thursday 21st. April 1785

The Council met.

Present the Honorable

Aquila Paca, John Davidson and Samuel T. Wright Esquires.

The Council adjourned 'till tomorrow morning 11 o'clock.