

6

certain Thomas Mann recovered Judg. ag. Robert Smith Esq. for y. Sum
of one thousand four hundred twenty eight pounds of tobacco and an half pound
and forty seven pounds three Shillings and six pence ster. from which to
Judg. Thos. Robt. Smith Esq. appealed (as by the record of this court may
appear) to the next pro. Court, where the said Smith not prosecuting
his appeal with Effect, his Majesty's Writ de procedendo issued
to the Justices of this Court of Kent in these words Viz

William the third by the grace of God of England Scotland France and Ireland King
Defender of the Faith &c. To Our Justices of our County Court of Kent Greening
Whereas Robert Smith Esq. lately appealed from a Judg. before you by Thomas
Mann obtained ag. him wherein the said Thomas Mann recovered ag. Robert
Smith Esq. as well the Sum of One thousand four hundred twenty eight
pounds and an half pound of tobacco and forty seven pounds three Shillings &
six pence ster. as also the Sum of forty seven hundred thirty and seven pounds
of tobacco Costs of Suit from which Judg. the said Robert Smith appealed to our
Justices of our Provincial Court, and gave Security to prosecute the same with
Effect And for that the said Robert Smith hath not prosecuted the same with Effect
According to an Act of Assembly in that Case made and provided We do therefore
Command you that at the next County Court to be held for y. County you proceed
to affirm y. Judg. and grant Execution thereupon as if the said Robert Smith
had not been appealed from. Witness Thomas Smithson Esq. Chief Justice of
our said Court y. 8. Month the day of October in y. 13. year of our Reign & Anno
Dom. 1703

All which said next Court held for y. said County of Kent to wit y. twenty
Seventh day of January Anno Dom. 1703. The Writ of ~~being~~ produced and read
to the Justices of the said County Court of Kent. It is by them considered the day and year
last mentioned that the said Judg. appealed from by the said Smith Esq. affirmed
ag. him, and is as valid as if it had never been appealed from, and that the
said Thomas Mann may have Execution as well of the debt and cost
by the said Judg. obtained. As also the Sum of
Additional costs accruing upon the de procedendo and affirmation
of y. Judg. &c.

Thos. Marshall & Wm. Miller - This being an action of d. for 6000 tob. the Just. made return
Thereof Capi in Custod.

Charles Hollisworth Junr.	Flower Walker	} These four Accions are discontinued
Richd Bishop Junr.	Dan. Smith	
Edw Fry	Edw Fry	
Robert White	Lorby Kern	
Richard Morris	Phellomon Lloyd	} The Dof. in these two Accions by Michael Darty their Atty. appear and dispartle unto next Court
Alexander Graves	Charles Marshall & W. D. Esq. of D. Smith	