And the said Walter Jenkins surviving partner as aforesaid by his attorney
aforesaid on the day of prefenting and suing forth of the aforesaid writ
declared against the said Thomas Neilson and John Hanna in the plea aforesaid
in form following to wit Baltimore bounty to wit Thomas Neilson and John
Hanna merchants late of Baltimore bounty were attached to answer unto
Walter Jenkins surviving partner of the late firm Walter Jenkins and
Thomas Cockran of a plea of trespass on the case &c. and whereupon the
said Walter by William B. Winder his attorney complains that whereas the
said Thomas and John being copartners in trade and carrying on commerce
under the firm of Thomas Neilson & Company on the fourth day of October in the
year of our Lord eighteen hundred and five to wit at the bounty aforesaid
made and signed their certain note in writing under their copartnership name
and firm to wit Thomas Neilson and Company commonly called a promissory note
bearing date the same day and year aforesaid and then and there delivered the said
note to the said Walter Jenkins and Thomas Cockran and thereby promised to pay
to the said Walter Jenkins and Thomas Cockran by their copartnership name and
firm of Thomas Neilson &c. or order three hundred forty nine dollars and thirty
eight cents ten months after date for value received by them the said Thomas
and John by reason of which said premises and by force of the Statute in such
case made and provided the said Thomas and John became liable to pay to the
said Walter Jenkins and Thomas Cockran the said sum of money mentioned
in the said note according to the tenor and effect thereof and being so liable
they the said Thomas and John in consideration thereof afterwards to wit
on the same day and year aforesaid at the bounty aforesaid undertook and
faithfully promised the said Walter Jenkins and Thomas Cockran to pay
them the said sum of money mentioned in the said notes according to the
tenor and effect of the said note and whereas the said Thomas and John
afterwards to wit on the day and year aforesaid at the bounty aforesaid
accounted together with the said Walter Jenkins and Thomas Cockran of and
concerning divers other sums of money before that time due and owing from the
said Thomas and John to the said Walter Jenkins and Thomas Cockran and
then being in arrear and unpaid and upon that account they the said Thomas

and John were then and there found in arrear to the said Walter Jenkins and Thomas
Cockran in another large sum of money to wit the sum of other three hundred and
forty nine dollars and thirty eight cents of lawful current money and being so found in
arrear they the said Thomas and John in consideration thereof afterwards to wit
on the same day and year aforesaid at the bounty aforesaid undertook and
faithfully promised the said Walter Jenkins and Thomas Cockran to pay them
the said last mentioned sum of money when they the said John and Thomas
should be thereto afterwards requested Nevertheless the said Thomas and John
hath not yet paid the aforesaid several sums of money or either of them or any
part thereof to the said Walter Jenkins and Thomas Cockran in the life time
of the said Thomas or to the said Walter since the death of the said Thomas Cockran
altho so to do he the said Thomas and John were requested by the said Walter
Jenkins and Thomas Cockran afterwards to wit on the same day and year aforesaid
and often afterwards to wit at the bounty aforesaid but to pay the same the said
Walter Jenkins and Thomas Cockran in the life time of the said Thomas Cockran
or to the said Walter since the death of the said Thomas have hitherto altogether
refused and still refuse so to do. to the damage of the said Walter seven hundred
dollars like current money and thereupon he brings suit &c. W. B. Winder attorney
for plaintiff pledges for prosecution John Doe and Richd Roe. Copies of which said
declaration were made and sent with the said writ to the Sheriff of the bounty
aforesaid thereon Endorsed to be served on the defendant with the writ
At which mentioned fourth Monday in March in the year of our Lord one
thousand eight hundred and eight and the day of the return of the foregoing writ
comes into the bounty court here the said Walter Jenkins surviving partner as
aforesaid by his attorney aforesaid and the Sheriff of Baltimore bounty
aforesaid to wit John Hunter gentleman to whom the said aforegoing writ
was in form aforesaid directed makes return thereof to the court here
thus Endorsed Ex'd Cap. Ambo. Lefs John Hunter Shff. and the said Thomas
Neilson and John Hanna being called appear in court here by William Irvine
and James Sowrey Donaldson their attorneys and thereupon on motion of the
said Walter Jenkins surviving partner as aforesaid by his attorney aforesaid
it is ruled by the court here that the said Thomas Neilson and John Hanna
give special Bail in the plea aforesaid or in default thereof be committed to the