Richard Pilgrimain Esqr } Talbott Cty

Waller Quinton Exr of } Memorandum that this Twenty Ninth Day of July in the Year of Our Lord
Theodorus Bonner } Christ One Thousand Seven hundred and Seventeen At a Court held here in and
for Talbot County came here into Court Richard Pilgrimain Esqr by Thomas Bowne his
Attorney and Exhibited to the Justices of the Honorable the Lord Proprietor here his
Certain Bill against Waller Quinton One of the Attorneys of the Said Court present here in Court in his
proper person Executor of the last will and Testament of Theodorus Bonner late of Talbot County Gent^r
Dec^d als dict Theodorus Bonner of Talbott County in the province afor^d Gent^r of a plea of Debt.
the Tenour of which Bill follows in these words. To the Justices of Our^r Lord Proprietor at Talbot
County afor^d Richard Pilgrimain Esqr by Thomas Bowne his Attorney Complains of Waller Quinton.
Gent^r One of the Attorneys of Talbot County Court aff^d present here in Court in his proper person Executor
of the last will and Testament of Theodorus Bonner late of Talbot County Gent^r Deceased als Dict Theo.
-dorus Bonner of Talbott County in the province afor^d Gent^r of that he hath not rendred to the
Same Richard Pilgrimain the full and just Quantity of three thousand three hundred Seventy and two
pounds of good Sound Merchantable leaf Tobacco in Cask to Contain the Same which from him he
unjustly Detains &c^r for that (vizt) that he Leaves the aff^d Theodorus in his life time (vizt) the twelfth
Day of April in the Year of Our Lord Christ Seventeen hundred and Sixteen at St Peter's Church in
Talbot County aff^d within the Jurisdiction of this Court by his Certain Writing Obligatory which he
the Said Theodorus in his life time Sealed with his Seale and as his Act and Deed delivered here into Court brought
the Date whereof is the Same Day and Year last afor^d Granted himself holden and firmly bound to
the aff^d Richard in the aff^d full and just Quantity of three thousand three hundred Seventy and two
pounds of good Sound Merchantable leaf Tobacco in Cask to Contain the Same to be paid to the Same
Richard Condescendant in Talbot County or Queen Annis County in the province aforesaid when thereunto
required. Yet the aff^d Testator in his life Time, and the aforesaid Executor after the Death of the
Said Testator, altho often required the aff^d full and just Quantity of three thousand three hundred
Seventy and two pounds of good Sound Merchantable leaf Tobacco in Cask to Contain the Same to the
Said Richard hath not paid nor hath Either of them paid but that he him the Said Richard hitherto
to pay the aff^d Testator in his life time, and the aff^d Executor after the Death of the S^d Testator
hath Altogether Denied and the aff^d Def^t yet doth Deny and unjustly detains to the Damage of
the aff^d Richard Six thousand pounds of like Tobacco aff^d and thereupon he prays remedy &c^r
Bowne & Dun^d pledges John Doe Richd Roe

And the aff^d Waller Quinton Executor as aff^d in his proper person Comes and
Defends the force &c^r injury when &c^r and prays Leave to Imparle hereunto until next Court &c^r
he hath it, and the same Day is given to the pl^ff Also. And it is Ruled by the Court here
at the prayer of the pl^ff's Attorney aff^d that the Said Waller Quinton Ex^r as aff^d file his
plea &c^r On Monday next being the Day before the aff^d next Court — at which Said next
Court to wit the Eighth Day of August Anno Dom^i One thousand Seven hundred and Seventeen
Comes again the Said Waller Quinton Ex^r as aff^d in his proper person. And likewise the Said
pl^ff by his Attorney aff^d, And the Said Waller in his aff^d Capacity (having Complyed to the
Rule aff^d) prays further Leave to Imparle hereunto until next Court And he hath it And
the Same Day is given to the pl^ff Also — And now here at this Day to wit the Fifth Day
of November Anno Dom^i One Thousand Seven hundred and Seventeen Comes again the S^d Def^t
in his proper person And likewise the aff^d pl^ff by his Attorney aff^d, And the S^d Defendant

in his Said Capacity in his proper person Comes and Defends the force and Injury when &c^r And for Plea
Saith that the Said pl^ff his Action aff^d against him this Defendant in his Capacity Ought not to have or maintain
he Saith that there Are Several Judgments Obtained by Divers persons against the Testator in his life time
And Debts of a higher Nature Standing But which must be paid First and Satisfied (vizt) a Certain —
William Worlington of Somerset County recovered in this County Court a Judgment against the S^d Testator —
in his life time for the Sum of Two thousand Ninety two pounds of Tobacco. And of Certain Samuel Thurston
of Queen Annis County in this County Court recovered Judgment against the Said Testator in his life time for —
the Sum of Two Thousand and Ninety four pounds of Tobacco. Also a Certain John Bullen recovered Judg
-ment of the Said Testator in his life time in this Court for the Sum of Eighteen hundred Forty three
pounds of Tobacco. And thereupon prayeth Judgment whether the Plaintiff his Action aff^d against him —
this the Defendant in his Said Capacity Ought by Law to have and maintain &c^r with this that the Said
Defendant will Verify that the before Specified Judgments in form aff^d rendred, Amounting to the Sum of
Six thousand Seven hundred Ninety nine pounds of Tobacco. At the Time of the Death of the Said Testator
And Except the Debts aforementioned to be paid by the Said Defendant in form aff^d Still remain in full
force Strength and effect not reversed Annihilated made void or Discharged And that All the Several —
Sums Amounting as aff^d were at the time of the Said Testator's Death true and just Debts not paid released
or Any ways Discharged Quinton aff^d —

And the aff^d pl^ff by Thomas Bowne his Attorney Saith that of the above plea of the aff^d
Defendant in manner and form above pleaded. And the Matter in the Same Contained he is insufficient —
in Law to Cause him the Said pl^ff from having and Maintaining his Action aff^d against him the S^d
Defendant to be barred And that he to that plea in manner and form above pleaded hath not rend
nor by the laws of this Land is Obliged to make reply. And this he is ready to Verify wherefore for
want of a Sufficient plea of the aff^d Defendant in this behalf the Said pl^ff prays Judgment And his
Damages Occasioned by the Premises to him to be Adjudged &c^r And for Cause of Demurrer According
to the Statute Shews to the Court as followeth. For that the Said plea in certain Insufficient And al-
together wanting Form &c^r Bowne & Dun^d —

And for that the aforesaid Defendant hath not filed his Joynder in Demurrer &c^r
It is Ruled by the Court here at the prayer of the pl^ff's Attorney aff^d that the Said Def^t in his Said
Capacity file the Same &c^r this Day (to wit) the Ninth Day of November aforesaid Otherwise Judg-
-ment to be given by Default &c^r And the aff^d Def^t not having Complyed with the Rule before men-
-tioned &c^r the Said pl^ff by his Attorney aff^d prays Judgment for his Debt aff^d together with his
Costs &c^r to him to be Adjudged &c^r

Therefore it is Considered by the Court here that the Said Richd
Pilgrimain Recover against the Said Waller Quinton, as well the Sum of three thousand three
hundred Seventy and two pounds of Tobacco the Debt aff^d he Also the Sum of three hundred
Eighty five pounds of Tobacco his Costs and Damages Sustained by Occasion of Detaining
the Same Debt to be levyed of the Goods and Chattels which were of the Said Theodorus —
Bonner at the Time of his Death in the hands of the Said Waller Quinton Ex^r as aff^d to be
Administred if so much there of in his hands he hath &c^r And if so much there of in his hands
he hath not &c^r then the aff^d Costs to be levied of the proper Goods and Chattels of the Said Waller
Quinton And the Said Defendant in Mercy &c^r

Foster Turbutt Clk

A True Copy of Foster Turbutt Clk of Tal Cty Court —

And now here at this Day to wit the Eighteenth Day of September Anno Dom^i 1718 Comes the
Said Waller Quinton Exr as aff^d into this Lord Ships Prov^l Court by Michael Howard & Daniel
Daniel Dulany Esq^rs his Attorneys And Says that in the Record and process aff^d And Also in

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