And thereupon on motion of the aforesaid Basil Waring Junior by his attorney aforesaid, It is ruled by the Court here, that the said Jasper Wirt answer to the Declaration aforesaid of the aforesaid Basil Waring Junior in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; and the said Jasper Wirt by his attorney aforesaid defends the force and injury when and so forth and prays leave of the Court here to Imparle unto the second Tuesday of May next, and then to answer to the Declaration aforesaid of the aforesaid Basil Waring Junior, in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Basil Waring Junior also —

At which said second Tuesday of May, being the thirteenth day of the same month, in the year of our Lord, one thousand seven hundred and eighty eight, to which said day, the said Jasper Wirt, had leave to Imparle, and then to answer to the Declaration aforesaid of the aforesaid Basil Waring Junior in the plea aforesaid, come again into the General Court here, as well the aforesaid Basil Waring Junior by his attorney aforesaid as the said Jasper Wirt by his attorney aforesaid; and the said Jasper Wirt by his attorney aforesaid (as before) defends the force and injury when and so forth, and saith that the aforesaid Basil Waring Junior his action aforesaid against him to have or maintain ought not &c. because he saith that he the said Jasper Wirt did pay unto the aforesaid Basil Waring Junior the said sum of Money in the Condition of the said writing Obligatory mentioned with legal Interest thereon according to the form and effect of the Condition of the said writing Obligatory and this he is ready to verify, wherefore he prays Judgment if the aforesaid Basil Waring Junior his action aforesaid against him to have or maintain ought and so forth —

And the aforesaid Basil Waring Junior by his attorney aforesaid saith that he by any thing by the said Jasper Wirt above in pleading alleged from having or maintaining his action aforesaid against him ought not to be precluded, because he saith that the said Jasper Wirt hath not paid unto him the aforesaid Basil Waring Junior the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said Jasper Wirt above by pleading hath alleged and this he prays may be inquired of by the Country, and the said Jasper Wirt in like manner and so forth — Therefore let a Jury thereon appear before the Court here, on the second Tuesday of October next, by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties, then and there and so forth —

And now, at this day, to wit, the said second Tuesday of October being the fourteenth day of the same month, in the year of our Lord one thousand seven hundred and eighty eight, come again into the General Court here, as well the aforesaid Basil Waring Junior by his

attorney aforesaid, as the said Jasper Wirt by his attorney aforesaid; and the said Jasper Wirt by his attorney aforesaid, relinquishing the amount aforesaid, above by him pretended says, that he cannot deny the action aforesaid of the aforesaid Basil Brown Junior, so as aforesaid against him brought, nor but that he owes to the aforesaid Basil Waring Junior the aforesaid sum of Eight hundred pounds current money in manner and form aforesaid so as the aforesaid Basil Waring Junior above against him hath declared —

Therefore, it is considered by the Court here, that the aforesaid Basil Waring Junior recover against the said Jasper Wirt as well the sum of Eight hundred pounds current money his Debt aforesaid in form aforesaid confessed, as the quantity of seven hundred and twenty pounds and one fifth of a pound of Tobacco by the Court here unto the aforesaid Basil Waring Junior on his assent adjudged for his damages which he hath sustained by reason of the detention of that Debt, as for his costs and charges by him about his suit in this behalf laid out and expended; and the said Jasper Wirt in mercy and so forth —

Memorandum, Judgment rendered in this cause on the seventeenth day of October in the year of our Lord one thousand seven hundred and eighty eight, for the Penalty and costs of Suit, and the Plaintiff agrees to release the penalty upon the payment of Principal, Interest and costs, and agrees to stay Execution until the tenth day of February next; Payments if any to be allowed

22 Sides —

Test. John Gwinn Clerk —

James Gordon and Company
against
John Williams of John.

Be it remembered, that heretofore, to wit, on the twenty sixth day of July in the year of our Lord one thousand seven hundred and eighty seven, the said James Gordon, Henry Riddle, John Campbell, John Campbell Junior, Alexander Low and William Ingram by Richard Potts and William Cooke by their Attorney aforesaid sued out of the General Court the writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Montgomery County in the words and figures following, to wit:

The State of Maryland, &c. To the Sheriff of Montgomery County, Greeting. We command you that you take John Williams Son of John, late of Montgomery County Planter, otherwise called John Williams Son of John of Frederick County and province of Maryland Planter if he shall be found in your bailiwick, and him safe keep, so that you have his Body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of October next, to answer unto James Gordon Henry Riddle, John Campbell Senior, John Campbell Junior, Alexander Low and William Ingram in a plea that he render unto them the sum of Three hundred and seventy two pounds, seven shillings and ten pence current money which to them he owes and from them unjustly detains and so forth — Hereof fail not at your peril, and have you then and there this writ. witness Robert Hanson Harrison Esquire, Chief Judge of our said Court, the twenty fifth day of May anno Domini 1787 — Issued the 26 July 1787 — (R. Potts) Thos. B. Hodgkin Cl.