And the aforesaid William Emmit by his Attorney aforesaid comes and defends the force and injury when and so forth and prays an hearing of the writing Obligatory aforesaid and he hath it as follows to wit

Promise to pay or cause to be paid unto Ignt. Wheeler Jr. his Exors admors or assigns the just and full sum of One hundred and fifty pounds Gold or Silver Money on or before the seventh day of July seventeen hundred and eighty seven clear of Int. he the said Wheeler is to receive two Horses at the valuation of two indifferent persons chosen by the aforesaid Wheeler and myself for value recd. Witness my hand and Seal this 7th day of July 1784.

William Emmit (Seal)

Witness. Richd. W. Downing
John Lee Gibson

Which being read and heard the aforesaid William Emmit by his Attorney aforesaid prays leave to imparle hereunto until next Court and he hath it the same day is given to the plaintiff also—

At which said next Court to wit the twelfth day of May Anno Domini Seventeen hundred and eighty nine comes again as well the said Ignatius Wheeler Junr by his Attorney aforesaid as the said William Emmit by his Attorney aforesaid.

And the said William Emmit by his Attorney aforesaid as before defends the force and injury when and so forth and saith that the said Ignatius Wheeler Junr his action aforesaid against him the said William Emmit to have or maintain ought not because he says that he paid the said Ignatius Wheeler Junr the said sum of money mentioned in the writing Obligatory aforesaid according to the form and effect of the same Writing Obligatory and this he is ready to verify wherefore he prays Judgment if the aforesaid Ignatius Wheeler Junr his Action aforesaid against him to have or maintain ought &c

And the said Ignatius Wheeler Junr saith that he by any thing by the said William Emmit above in pleading alledged from having or maintaining his Action aforesaid against him ought not to be precluded because he says that he the said William Emmit did not pay to him the said Ignatius Wheeler Junr the said sum of money in the writing Obligatory aforesaid mentioned according to the form and effect of the said Writing Obligatory in manner and form as the aforesaid William Emmit above,

above hath alledged and of this he puts himself on the Country and the said William Emmit in like manner &c

Whereupon this cause standing ready for tryal Command is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court here on the second tuesday of October next twelve &c by whom &c and who neither &c to recognize &c because as well &c the same day is given to the parties then and there &c

At which said second tuesday of October being the thirteenth day of the same Month Anno Domini seventeen hundred and eighty nine comes again as well the said Ignatius Wheeler Junr by his Attorney aforesaid as the said William Emmit by his Attorney aforesaid—

Nevertheless the said William Emmit by his Attorney aforesaid relinquishing the averment above by him pretended says that he cannot deny the action aforesaid of the aforesaid Ignatius Wheeler Junr so as aforesaid against brought nor but that he owes to the said Ignatius Wheeler Junr the aforesaid sum of One hundred and fifty pounds Current Money with Interest thereon from the seventh day of July seventeen hundred and eighty seven in manner and form aforesaid as the aforesaid Ignatius Wheeler Junr above against him hath declared.

Therefore it is considered by the Judges here that the said Ignatius Wheeler Junr recover against the said William Emmit as well the sum of One hundred and fifty pounds Current Money with Interest thereon from the seventh day of July seventeen hundred and eighty seven his debt aforesaid in form aforesaid confessed as also the sum of eight hundred and ninety two pounds and four fifths of a pound of Tobacco by the Court hereunto him on his assent adjudged as well for his damages sustained by occasion 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 Defendant in mercy &c

Memorandum. The plaintiff agrees to stay Execution until the first day of January next—

Test. Jno Gwinn Clk

Richard Coale use of Joseph Cowman against Thomas Conner.

Be it Remembered that heretofore to wit On the first day of January seventeen hundred and eighty eight the plaintiff by William Cooke his Attorney sued out of our General (Court)