Whiteroft and Allen Quynn above in pleading alledged from having or maintaining their action aforesaid against them ought not to be precluded because they say that the aforesaid William Whiteroft did not pay unto him the said William Roberts in his life time the aforesaid sum of money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said William Whiteroft and Allen Quynn above by pleading have alledged and of this they pray may be enquired of by the Country and the aforesaid Whiteroft and Allen Quynn in like manner &c.

Whereupon this Cause standing ready for Trial 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 said parties then and there &c.

And now here at this day to wit the said second Tuesday of October being the twelfth day of the same month & Anno Domini seventeen hundred and ninety come again as well the said Anne Roberts and James Ringgold Executors aforesaid by Thomas Jenings their attorney aforesaid as the said William Whiteroft and Allen Quynn by Gabriel Duvall and Samuel Chase their attornies aforesaid But our said sheriff hath not sent his writ nor has he done any thing therein.

Nevertheless the aforesaid William Whiteroft and Allen Quynn by Gabriel Duvall their attorney aforesaid relinquishing the averment alias by them pretended say that they cannot deny the action aforesaid of the aforesaid Anne Roberts and James Ringgold Executors aforesaid so as aforesaid against them brought nor but that they owe to the aforesaid Anne Roberts and James Ringgold Executors aforesaid the aforesaid sum of seven hundred and four pounds thirteen shillings and four pence current money in manner and form aforesaid so as the aforesaid Anne Roberts and James Ringgold Executors aforesaid above against them have declared.

Therefore it is considered by the Judges here that the said Anne Roberts and James Ringgold Executors aforesaid recover against

against the said William Whiteroft and Allen Quynn as well the sum of seven hundred and four pounds thirteen shillings and four pence Current money their debt aforesaid in form aforesaid confessed as also the sum of seven hundred and forty two pounds of Tobacco by the Court here unto the said Anne Roberts and James Ringgold Executors aforesaid on their assent adjudged as well for their damages sustained by reason of the detention of that debt as for their costs and Charges by them about their suit in this behalf laid out and expended and the said Defendants in mercy &c.

Memorandum The plaintiffs agree to release the above Judgment on payment of the principal Interest and Costs of suit and agree to stay execution until the first day of January next payments if any to be allowed.

Test John Quinn Clerk.

W. Oneill and Deakins
against
S. J. James Walker

Be it remembered that heretofore to wit on the eleventh day of April anno Domini seventeen hundred and eighty nine the Plaintiffs by William Cooke their attorney sued out of our General Court the State of Marylands writ of Capias ad respondendum directed to the sheriff of Anne Arundel County in the words and figures following to wit.

The State of Maryland sc. To the sheriff of Anne Arundel county Greeting. We Command you that you take James Walker late of Anne Arundel County planter otherwise called James Walker of Ann Arundel County and State of Maryland 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 May next, to answer unto Bernard Oneill and William Deakins Junr. of a plea that he render unto him the said Bernard Oneill and William Deakins Junr. the quantity of eighteen thousand four hundred pounds of good fresh inspected crop tobacco which to them he owes and 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 18th day of November anno domini 1788. Issued the 11th day of April 1789. W. Cooke. Jno. Quinn Clk.