date of the said writing obligatory &c according to the form and effect of the Condition aforesaid to wit at Ann Arundel County aforesaid in such manner and form as the said James Walker above by pleading hath alledged and of this they pray may be enquired of by the Country and the aforesaid James Walker in like manner and so forth.

Whereupon this cause standing ready for trial Command is given to the sheriff of Anne 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 Bernard O'Neill and William Deakins Junior by their attorney aforesaid as the said James Walker by his attorney aforesaid But our said sheriff hath not sent his writ.

Nevertheless the aforesaid James Walker by his attorney aforesaid relinquishing the averment above by him pretended says that he cannot deny the action aforesaid of the aforesaid Bernard O'Neill and William Deakins Junior so as aforesaid against him brought nor but that he owes to the aforesaid Bernard O'Neill and William Deakins Junior the aforesaid quantity of Eighteen thousand and four hundred pounds of good fresh inspected Crop Tobacco in manner and form aforesaid so as the aforesaid Bernard O'Neill and William Deakins Junior above against him have declared.

Therefore it is considered by the Judges here that the aforesaid Bernard O'neill and William Deakins Junior recover against the said James Walker as well the quantity of Eighteen thousand and four hundred pounds of good fresh inspected Crop Tobacco their debt aforesaid in form aforesaid confessed as also the quantity of six hundred and ninety one pounds of Tobacco by the Court here unto the said Bernard O'Neill and William Deakins Junior on their absent 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 Defendant in mercy &c.

Memorandum

Memorandum The Plaintiffs agree to release the penalty on payment of the Principal Interest and Costs of suit and agree to stay execution to the first day of January next.

Test Jno. Gwinn Clerk.

ZH. John Marsh and Samuel Proctor
against
GD John Stewart

Be it remembered that heretofore to wit on the Eleventh day of June Anno domini seventeen hundred and eighty nine The plaintiffs by Zebulon Hollingsworth their attorney sued out of our General Court here the state of Marylands writ of Capias adrespondendum directed to the sheriff of Ballimore County in the words and figures following to wit.

The state of Maryland &c. To the sheriff of Ballimore County Greeting We Command you that you take John Stewart late of Ballimore County Gentleman 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 John Marsh and Samuel Proctor of a plea of trespass on the case 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 12th day of May Anno Domini 1789.

Issued 11th day of June 1789. John Gwinn Clk.

ZH

And the aforesaid John Marsh and Samuel Proctor by Zebulon Hollingsworth their attorney declared against the aforesaid John Stewart in the plea aforesaid as follows to wit.

Western shore of the State of Maryland Ballimore County to wit. John Stewart late of Ballimore County Gentleman was attached to answer unto John Marsh and Samuel Proctor of a plea of trespass on the Case and so forth.

Whereupon the said John Marsh and Samuel Proctor by Zebulon Hollingsworth their attorney Complain that whereas the said John Stewart on the first day of May in the year of our Lord one thousand seven hundred and eighty six at Ballimore county aforesaid was Indebted to the said John Marsh and Samuel Proctor in the sum of one hundred and twenty one pounds sixteen shillings and three pence

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