The court to imparle hereunto until next court and he hath it and the same day is given to the plaintiffs also.

At which said next Court to wit the second tuesday of October being the ninth day of the same month anno domini seventeen hundred and ninety two come again here into our general Court as well the said Alexander Henderson Robert Fergusson and John Gibson by their attorney aforesaid as the said John Heard of James by his attorney aforesaid And the said John Heard of James by his attorney aforesaid as before defends the force and injury when and so forth and saith that the said Alexander Henderson, Robert Fergusson and John Gibson their action aforesaid thereof against him to have or maintain ought not and so forth because he saith that he the said John Heard of James did pay unto the said Alexander Henderson, Robert Fergusson and John Gibson the said sum of money in the Condition of the writing obligatory mentioned with legal interest thereon according to the form and effect of the said Condition of the writing obligatory and this he is ready to verify wherefore he prays Judgment if the said Alexander Henderson Robert Fergusson and John Gibson their action aforesaid against him to have or maintain ought and so forth.

And the said Alexander Henderson Robert Fergusson and John Gibson say that they by any thing by the said John Heard of James above in pleading alledged form having or maintaining their action aforesaid against him ought not to be precluded because they say that the said John Heard of James hath not paid unto them the said Alexander Henderson Robert Fergusson and John Gibson the said sum of money in the Condition aforesaid mentioned with the interest thereon in such manner and form as the said John Heard of James above in pleading hath alledged and of this they pray may be enquired of by Country and the said John Heard of James in like manner and so forth.

Therefore let a jury thereupon appear before the judges of our general court here on the second tuesday of May next 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 May being the fourteenth day of the same month anno Domini seventeen hundred and ninety three come again here into our general Court as well the said Alexander Henderson Robert Fergusson and John Gibson by their attorney aforesaid as the said John Heard of James by his attorney aforesaid

aforesaid Nevertheless the said John Heard of James by his attorney aforesaid relinquishing the avermont above by him pretended says that he cannot deny the action aforesaid of the said Alexander Henderson, Robert Fergusson and John Gibson so as aforesaid against him brought nor but that he owes to the said Alexander Henderson Robert Fergusson and John Gibson the sum of two hundred pounds two shillings and eight pence current money in manner and form aforesaid so as the aforesaid Alexander Henderson Robert Fergusson and John Gibson above against him hath complained.

Therefore it is considered by the judges here that the said Alexander Henderson Robert Fergusson and John Gibson recover against the said John Heard of James as well the sum of two hundred pounds two shillings and eight pence current money their debt aforesaid in form aforesaid confessed as also the quantity of eight hundred and seven pounds of Tobacco by the Court here unto the said Alexander Henderson Robert Fergusson and John Gibson 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 Judgment was rendered in this cause on the fifteenth day of May Anno domini seventeen hundred and ninety three for penalty and costs to be released on the payment of the principal interest and costs, and the Plaintiffs agree to stay execution until the first day of August next payments if any to be allowed

Test John Gwinn Clk.

Philip Richard Fendall against Barnet White Barber

Be it remembered that heretofore to wit, on the fourteenth day of December Anno domini seventeen hundred and ninety one, The Plaintiff by William Cooke his attorney sued out of our general court the State of Marylands writ of Capias Ad respondendum directed to the sheriff of Saint Marys County in the words and figures following to wit.

The State of Maryland Sc. To the sheriff of Saint Marys County Greeting. We Command you that you take Barnet White Barber late of Saint Marys County planter otherwise called Barnet White Barber of St. Marys county 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 Philip Richard Fendall of a plea that he render unto him the full and just sum of thirteen hundred and sixty one pounds eighteen shillings and six pence current