

Liber M M ley fully appeareth and whereas the sd John Litchington afterwards to wit the 29th of Novemb^r aforesd in y^e yeare afd did at the speciall Instance & Request of him the sd John Maltby by a Certeine writing obligatory whose date is the day and yeare aforesd for the greater security & true pformance of the sd bargaine and agreem^t the said John Litchington to the sd John Quigley together with the said John Maltby at the Request of the same John Maltby graunted himself to be holden to the sd John Quigley in the sume of five hundred pounds sterling with Condicion for pformance of the sd agreem^t & himself ag^t the sd John Quigley in pledge put for the sd five hundred pounds sterling to be p^d unto the sd John Quigley upon Non pformance of the sd bargaine w^{ch} sd Contract so as aforesd made betweene the sd John Maltby & the sd John Quigley the s^d John Maltby principall D^r at the arivall of the sd ship the sd fifty pypes of wyne according to the Condition did not Deliver but the same to him to deliver altogether refused whereby the same John Quigley afterwards to wit the ninth day of October in the 41th yeare of the Dominion of Caecilius &c Annoq³ Domini 1672 at the City of St Maryes by a Certeine plaint ag^t the sd John Litchington before his Lo^{pp^s} Justices of the Provincial Court leavyed for y^e sd 500^t by vertu of w^{ch} plaint the sd John Litchington was by a writ issued out of the sd Provincial Court Retornable the Eleaventh day of December to the Sheriff of St Maryes County Directed was by the said Sheriff arrested for y^e sd debt of 500^t sterf and by vertu of the same the said 500^t sterf to y^e sd John Quigley payd and gave satisfaction therefore, Neverthelesse the same John Maltby although often Requested him the sd John Litchington ag^t the sd John Quigley for the sd 500^t sterf whereof he put himself pledge ag^t the same for the same John Maltby hath not acquitted but him to acquit gain-sayd and him hitherto acquit gainsaith whereupon the sd John Litchington is Damnifyed and hath damage to the vallue of five hundred pounds sterling and thereupon he bringeth his suite.

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And the said John Maltby by Vincent Lowe his Attorney cometh and defendeth the force & Injury &c and saith he is in no wise guilty of the p^rmises in such manner & forme as the said John Litchington hath by his Declaration objected ag^t him and of this he puts himself upon the Country and the said John Litchington likewise

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the Provincial Court at the City of St Maryes on the Eleaventh day of ffebruary next being the first day of the same Court, Twelve &c by whome &c who neither &c because aswell &c to Recognize &c & the same day is given to both ptyes

At which day that is to say the 11th day of ffebruary in the 41th year of the Dominion of Caecilius &c annoq³ Domini 1672 Came