

ney Sayth that the Said James his ac̄on against him ought not to have because he Sayth that he the said Gerrard Slye the said Two and twentyeth day of Aprill in the yeare of Our Lord 1681 aforesaid at Bushwood aforesaid in the said County did make and Seale to the said James a Certaine writeing Obligatory of the Penalty of One hundred pounds Sterling Conditioned for the true performance of the Covenants in the said Writeing Indented w<sup>ch</sup> said writeing Obligatory for the Secure performance of the Said Covenants in the said writeing Indented mentioned to be performed on the part of the Said Gerrard Slye Hee the said Gerrard did then and there to the said James deliver And this he is ready to averr Whereupon he prayeth Judgment if the said James other ac̄on then upon the Said writeing Obligatory against him the said Gerrard Ought to have And the said James Sayth that he by any thing by the afores<sup>d</sup> Gerrard above by Pleading alleadged from his action aforesaid against him the said Gerrard ought not to be barred ffor that he Sayth that the plea of the aforesaid Gerrard above in barr pleaded and the matter in the Same Contained is not Sufficient in Law the said James from his ac̄on aforesaid against the aforesaid Gerrard to have to be barred And that he thereto hath noe need nor by the Law of the land is bound in any manner to answeere and this he is ready to verify, Whereupon and for want of a Sufficient answeere in that behalfe the said James demands Judgment & his Damages by occasion of the premisses to him to be adjudged

And the said Gerrard Slye by his said Attorney sayth that the plea of him the aforesaid Gerrard above in barr pleaded and the matter in the same contained is good and Sufficient in Lawe the said James from his action aforesaid against the aforesaid Gerrard to have to be barred for that he the said Gerrard for the secure performance of the writeing Indented aforesaid did make seale & deliver to the said James the writeing obligatory aforementioned in the penalty of One hundred Pounds Sterling Whereupon he prayeth Judgment If the Said James other ac̄on against him the said Gerrard then upon the said writeing Obligatory Ought to have &c. And the said James likewise w<sup>ch</sup> being read heard and argued & by the Justices here fully understood and Dilligently examined It Seemeth to the Same Justices that the Plea aforesaid of the aforesaid Gerrard in manner aforesaid pleaded and the matter therein contained is insufficient in law to debarr the aforesaid James Bowling from haveing his ac̄on aforesaid against him the said Gerrard for that the said James his ac̄on aforesaid against him the said Gerrard Ought to maintaine And therefore it is considered by the Court here that the said James Bowling Recover against the said Gerrard Slye his Damages by him Sustained by occasion of the premisses but because it is not Knowne to the Court here what damages he hath Sustained by Occasion thereof Itt is therefore

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