

Pledges etc. John Doe, Richard Roe. William Stone.

And now here att this day (to witt) the twenty Second day of March Annoque Domini 1697[1698] Came as well the Said James Brooke by his Said Attorney as the Said Charles Tracey in his proper person in Custody of the Sheriffe etc. and the Sheriffe now Returneth that he hath taken the body of the Said Charles Tracey and the Same hath Ready here in Court and the Said Charles Tracey present here in Court is Committed to the Custody of the Said Sheriffe for default of Manucaptors there to Remaine untill etc. And hereupon Came into Court David Small in his proper person and undertooke for the Said Charles Tracey that if it Should happen the Said Charles Tracey in the plea aforesaid to be in any manner Lawfully Convicted then hee the Said David Small doe grant for himselfe the debt Aforesaid and allsoe all Costs and Damages to the Said James Brooke in any manner by the Court here to be Adjudged to be made and Levyed of his goods and Chattles Lands and tenements to the use of the Said plantiffe if it Should happen the Said Defendant pay not the Debt and Costs aforesaid nor Render his body to the Custody of the Sheriffe for the Same there to Remaine untill etc.

And whereas the Said plantiffe having Caused a Coppy of the Decleration Aforesaid by the Sheriffe Delivered to the Defendant at the time of Serving the writt which was Eight dayes before this Court. Whereupon the Said plantiffe prayeth that the Said Defendant to his Decleration aforesaid may Answer this Court According to Act of Assembly In Such Cases made and provided etc.

Whereupon the Said Charles Tracey in his proper person Cometh and defendeth the force and Injury when etc. And Saith that he Cannot gainsay the Action of the Said plantiffe nor but the Said bill or writeing Obligatory is the Deed of the Said Charles Tracey nor but that hee oweth the Said Sume of four thowsand Six hundred and Sixty pounds of tobaccoe to the Said James Brooke in forme as the Said James Brooke above against him hath Declared etc.

Therefore it is Considered that the Said James Brooke Recover against the Said Charles Tracey the Sume of four thowsand Six hundred and Sixty pounds of tobaccoe his Debt aforesaid And his Damages by Occation of Deteyning of the Said Debt Five hundred and forty pounds of tobaccoe to the Said James Brooke of his Assent by the Court here Adjudged And the Said Charles Tracey in mercy etc.

Allexander Magruder plantiffe: Charles Tracey Defendant

Prince Georges County Ss. Charles Tracey Late of Prince Georges County Otherwise Called Charles Tracey of Prince Georges County in the Province of Maryland Ordinary keeper was Sumoned to Answer unto Allexander Magruder of a plea that he Render unto him the full Sume and Just quantity of four thowsand two hundred pounds of good Sound Merchantable tobaccoe and Caske which to him he oweth and unjustly Deteyneth etc.

And whereupon the Said Allexander by John Meriton his Attorney Saith that whereas the [308] Said Charles the First day of Febuary Annoque Domini 1697[1698] att Charles Towne within the Jurisdiction of this Court by his Certaine bill Obligatory which the Said Allexander with the Seale of the Said Charles Signed bringeth here into Court the date whereof is the day and yeare aforesaid Did Acknowledge himselfe to be Justly Indebted unto the Said Allexander Magruder of the aforesaid County and province planter his heires Executors Administrators and Assignes in the full Sume and Just quantity of four thowsand two hundred pounds of good Sound Merchantable tobaccoe and