

June Court 1701

Six hundred pounds of good Towns Mercha^{nt} Right. Tod. in Cas^e w^hich
from him The Unjustly Detaines &c.

And Whereupon Said James Wroth by Richard Macklin his Attorney Saith
that Whereas Said Robert Dobnisk by 29 Day of Octo^r and Dom^t. 1698 at
Kent County within Jurisdiction of this Court by his esclaime bond or writing
of Said with his Seale as hee at 5000 Detained and here in Court brought
and Sealed with his Seale as hee at 5000 Detained and here in Court brought
James Wroth in Said Sum^s of Five Thousand Six hundred pounds of Tod^d g^oall
fied as aff^d to be paid to Said James Wroth his Ex^{or} Ad^r or Assignes Tod^d
which paym^t well & truly to be made hee did bind himselfe his heires &c.
firmly by Said bond or writing of 29th Oct. North standing of Said Robert Dobnisk
in his life time of Said Sum^s of 5000 Tod^d. unto Said James Wroth according to
Said Sum^s of Said bond altho^{ugh} often Demanded hee hath not paid neither hath
Said Anne in her Said Capacity Sum^s of death of Said Robert altho^{ugh} often
thereunto required paid Said Sum^s but Said Sum^s to pay the hath denyed and refused
Still doth deny & refuse & Unjustly detaine to Said James Wroth
Wroth Eight thousand pounds of like Tod^d. there upon hee brings this Suit

Macklin of 9th plea J^r Doe
J^r Roe

And Said Anne Dobnisk in her aff^d Capacity by
her att^y James Dobnisk of forced & injury which shee prays over of is this
Mentioned obligation and it is read unto her the said prayer over of condition of
within mentioned obligation and it is read unto her in these words following viz^t:

The condition of Said obligation is such that if Said above bounden Robert
Dobnisk his heires Ex^{or} Ad^r or Assignes pay or cause to be well truly paid
unto Said James Wroth his heires Ex^{or} Ad^r or Assignes of full
just Sum^s of Five thousand pounds of Tod^d. one third at or before 25th Day of
Novem^r. next ensuing of Date hereof that then Said above obligation shall be layd
and of none Effect oth^{erwise} to remaine in full force power & virtue

But Said Plaintiff by Richard Macklin his att^y considering Said imper
fections & insufficiencies in Said Debt. of Matter therein contained voluntary
gives Said Defendants a Non Suit.

Therefore it is considered by Said Court here viz^t 25th Day of June Anno
Dom^t. 1701 That Said Defendants as to this Action Tod^d as aff^d brought god
th^{er} of without day and it is further considered that Said Defendants to do
rescued from Said Plaintiff in their Said Capacities as well Said Sum^s of fifty
pounds of Tod^d for a Non Suit according to Act of Assembly Tod^d as also
Sum^s of one hundred eighty eight pounds of Tod^d. cost of Suits in that case
said out & exp^{ended} and Said James Wroth in Mary^{land} J^r Dore