to be paid to the said Stephen or his assignes on or before the tenth day of November next Ensuing the date of the Same bill for value received and for the true and Just payment of the Said Sum of four pounds two Shillings and nine pence in manner and form aforesaid the said Stephen bound himself his heirs Executors and adm.rs in the penale Sum of Eight pounds five Shillings and Six pence Current money aforesaid by the said Bill and the said Stephen in full Saith — That the said William did not pay to him the said Stephen the said four pounds two Shillings and nine pence on or before the tenth day of November next Ensuing the date of the Same Bill which he upon the said day according to the form and Effect of the said Bill Ought to have paid Whereby the action accrued to the said Stephen to receive and have from the said William the said Eight pounds five Shillings and Six pence Yet the said William altho' often requested hath not paid the said Eight pounds five Shillings and Six pence to the said Stephen but hath hetherto altogether Refused and still refuses wherefore he saith that he is prejudiced and hath damage to value of Twelve pounds Current money of the province of Maryland and therefore he brings Suit &c. . . .

Sto Doe
R Roe

A Copy of the foregoing declaration was made and Sent to be Served on the deft in Order for Speedy tryall &c.

At Which day here Came the aforesaid Stephen Bank by his attorney aforesaid and the Sheriffe to wit John Haidy Gentleman now here returned that he had Taken the dft William Wharton by whose body here at this day he had here Ready to answer the aforesaid Stephen Bank of the aforesaid plea as to him it was Commanded and further the aforesaid Shff returned that he had Served the dft William with a Copy of the foregoing declaration according to act of Assembly in such Case made and provided &c.

And the aforesaid William Wharton by at the prayer of the aforesaid Stephen Bank is adjudged to give Speciall bail to action aforesaid Thereupon a certain Henry Lows of Pommerset County Merchant present here in Court in his proper person undertook for the said William Wharton by Likewise the said William Wharton by present here in Court in his proper person assumed upon himself that if it should happen that Judgm.t in the plea dft should be rendered for the same Stephen Bank against the Same William Wharton by or that he the Same William Wharton by should be therein Convicted that then he the said William Wharton by shall pay and Satisfie unto the said Stephen Bank the Judgm.t of the Court thereupon or Render his body in Execution of Such Judgm.t to the prison of the Sheriffe of the County aforesaid in Satisfaction thereof or that he the said Henry Lows will doe the Same for him &c.

And the aforesaid William Wharton by, by George Douglas his Attorney Comes and defends the force and Injury when &c. and saith that he Cannot deny the action aforesaid of the aforesaid Stephen Bank nor Can he Say but that the writing Obligatory aforesaid is the deed of the Same William nor but that he Owes the Same Stephen the aforesaid Eight pounds five Shillings and Six pence Curr.t money of Maryland in Manner and form as the dft Stephen above against him hath declared — Therefore it is considered that the dft Stephen Bank Recover against the dft William Wharton by his debt dft and his damage by Occasion of the detention of the Same debt to

pounds No tobacco to the same Stephen of his assent by the Court here adjudged and the dft Wm. in Mercy Memorand.m the dft Recovered all his debt aforesaid Eight Shillings and Costs &c.