

the fourth day of December then next following and did likewise Covenant and oblige himself to find the said Negro Cloaths and pay her tax. During the said term the said Heber did Covenant and oblige himself to find the said negro meat drink washing and lodging sitting for such a negro during the time of her said servitude and also to pay unto him the said Peter the full and just sum of twelve hundred pounds of good merchantable leaf tobacco in cash to contain the same and in case the said Negro should dye in the time of her servitude he the said Heber was to pay in proportion to the time she should live therein and to the true performance of all the Covenants Clauses and agreements and payments in the same Articles mentioned the parties above mentioned did oblige themselves their heirs or assigns Each to the other in the penall Sum of Fifteen pounds as by the Articles aforesaid fully appear and the same Peter says that altho' he all the Covenants agreements and payments in the aforesaid Articles of Agreement above specified on the part of him the said Peter or his assigns to be observed performed or fulfilled well and truly according to the force form and Effect of the said Articles hath fulfilled and kept In fact the same Peter says that the said negro did live in the service of the said Heber during the said Term and the aforesaid Heber hath not payed unto him the said Peter the aforesaid twelve hundred pounds of good merchantable Tobacco in cash to contain the same agreeable to the ^{Effect} form of the Articles aforesaid by which Action hath accrued to the same Peter to require and have of the said Heber the aforesaid Fifteen pounds Nevertheless the said Heber altho' often thereto requested the aforesaid fifteen pounds to the same Peter he hath not rendered but the same to him hether to render hath denied Whereupon he says that he is the worse and hath damage to the value of twenty pounds Current money of Maryland and thereof he brings Suit &c

Meag. G. J. Per R. Proc

A Copy of the foregoing declaration was made and sent to be served on the deft in order for a speedy Tryall - At which day here came the aforesaid Peter Taylor by his Attorney aforesaid and the Sheriff to witt John Hand Gent. now here returned that he had taken the aforesaid Heber Whittingham whose body here at this day he had ready to answer the aforesaid Peter Taylor of the aforesaid plea as to him it was Commanded - And further the said Sheriff returned that he had served the aforesaid Heber Whittingham with a Copy of the foregoing declaration according to Act of Assembly in such case made and provided &c

And whereupon the aforesaid Heber Whittingham in his proper person Cometh and defendeth the force and Injury whereof and saith that he cannot deny the action aforesaid of the aforesaid Peter Taylor nor can he say but that he Oweth the same Peter Taylor the aforesaid Fifteen pounds in manner and form as the aforesaid Peter above against him hath declared &c

Therefore it is considered that the aforesaid Peter Taylor Recover against the aforesaid Heber Whittingham his debt aforesaid and his damages by Occasion of the detention of the same debt to four hundred and fifty Six ⁻⁻⁻⁻⁻ pounds of tobacco to the same Peter of his aforesaid by the Court here adjudged and the aforesaid Heber in Money &c.
 Memorandum: the plaintife upon the defnd's paying of him Twelve hundred pounds of tobacco and the Costs of the suit aforesaid releaseth the defd's debt of Twelve pounds &c

434