

March Court Anns Dominis 1746

And whereupon the said John Chesley by Thomas Clark his Attorney saith that whereas the said James & Ignatious on the Twentieth day of October in the year of our Lord one thousand seven hundred and forty six at Charles County afo. by their certain Writing obligatory with the Seal of them the said James & Ignatious sealed and here in Court produced whose date is the day and year afo. acknowledge themselves to be held and firmly bound unto the said John in the sum of Sixty Two Pounds two Shillings Sterling to the said John when they unto afterwards they should be required Next shall the said James and Ignatious altho often requested the said Sixty Two pounds two Shillings Sterling or any part thereof to him the said John hath not paid or in any sort contented but the same to him the said John to pay or in any sort to Content hath hitherto altogether refused and still doth refuse to the Damage of him the said John Sixty four pounds four Shillings Sterling and therefore suit is brought

And the said James & Ignatious by Henry Small their Attorney comes and defends the force and Injury when &c. and prays a hearing of the Writing obligatory and it is read unto them they also pray a hearing of the Condition of the same Writing and it is read unto them in these words Viz

The Condition of the above obligation is such that if the above bound James & Ignatious Gardiner or either of them do and shall call and duly pay or cause to be paid unto the said John Chesley his certain Attorney, Esq. 20 shillings or a Signer the two said full sum of Sixteen Pounds one Shilling Sterling at or upon the first Day of March next ensuing the date hereof, with legal Interest for the same then the above obligation to be held due to remain in full force and virtue of Law but if default be made in the payment of the said sum of Sixteen Pounds one Shilling Sterling and Interest then we give power any Attorney in any Court of Record in the Colonies of Great Britain France, or Ireland or within the Province of Maryland, or other his Majesties Dominions to appear for us at the suit of the above mentioned John Chesley and to receive a Declaration on the above obligation & thereupon to cause Judgment by Nil dicit Cognovit Actionem, Nonsum Informatus or otherwise hereby releasing all the Errors that may happen upon the said Judgment being out Execution thereupon, or in any of the proceedings thereunto relating

Which being read and heard them the said James and Ignatious by their Attorney comes and defends the force and Injury when &c. and the said Attorney saith that he is not informed by them the said James and Ignatious of any answer to be given for the said James & Ignatious to the said John in the premises nor hath they any other thing to say thereof in favor or Discharge of the action afo. of him the said John whereby the same John remains against them the said James & Ignatious thereupon defended

Therefore it is considered that the said John recover against them the said James & Ignatious his Debt of Costs afo. & his Damages by Occasion of Detaining that Debt to four Hundred and Eighty six Pounds of Tobacco to the same John on his absent by the Court here adjudged and the said James and Ignatious in many

Mem. the said James & Ignatious the penalty on payment of their Subject Damages

John Chesley Debtor Judgment Record  
 James Mudd Judgment by Nonsum Informatus  
 Charles County sh. James Mudd late of Charles County Planter otherwise called James Mudd of Charles County Planter was summoned to answer unto John Chesley of a Plea that he lends or unto him in the full sum of Sixteen Pounds Sterling which he him he owes unjustly Detains