Samuel Penry of Henry Wrightsby of Baltimore County Gent was attached
to answer unto Samuel Penry of a plea of Trespass at
Henry Wrightsby the Sum &c.

And thereupon the said Samuel by Jacob Lowman his attorney complaines —
That whereas the said Henry the twenty third day of June in the year of
our Lord one thousand seven hundred and fifteen at Baltimore in the
County of Annarundell being indebted unto the said Samuel in the Summe
of five pounds sterl for a Valuable Consideration before ye time by
the said Samuel paid and delivered to the said Henry for the said
Henry according to the use of Merchants at Lond by and place had
received and delivered to the said Samuel their Bill of Exchange all of
one tenour and date and signed with the proper Hand of them the said
Henry and to one Robert Vaux of London merchant directed in the first
of which Bills the said Henry did require the said Henry to pay to the said
Samuel or order the said Summe of five pounds sterl at twenty days
sight of the said Bill the second and third of the same tenour and date
not being paid and in the second of the Bills the said Henry did require
the said Robert to pay the said Samuel or order the said Summe of
five pounds sterl twenty days after sight of the said second Bill
the first and third of the same tenour and date not being paid —
and in the third of the said Bills the said Henry did require the said Robert
to pay unto the said Samuel or order the said Summe of five pounds sterl twenty
days after sight of the said third Bill the first and second of the same tenour
and date not being the said Henry the day year and place aforesaid in consideration
of the premises did promise upon his faith and to the said Samuel did then
and there faithfully promise yt. of the said Robert the said Bills of Exchange
or any of them did not accept and pay according to the tenor thereof that
then the said Henry within a fortnight after the end of the said twenty days in the
same Bills mentioned sett forth the said Summe of five
pounds sterl together with all damages and charges for the same to be
sustained for want of payment thereof to the said Samuel would
well and truly content and pay to the said Samuel in fair faith yet
although that is to say the twelfth day of October anno Dni seven
teen hundred at London aforesaid one Capt Nathaniel Puckle for and
on the behalf of the said Samuel and by his order did require one
James Puckle mariner and Jabellion dwelling in London to require
upon the said Royall Exchange and at the greate Scott office and diver
other publick places of the City for Mr Robert Vaule to whom the said Bills of

Exchange

Exchange were directed but not being able to find out the said Robert Vaule
nor able to procure payment of the Sums of the said Bills in London
therefore the said Henry at the request aforesaid according to the use of Merchants
did in forme of law protest as by the said protest here ready in Court to be
produced more at large may appear Nevertheless the said Henry the said Samuel
and Humphrey not regarding their faith but craftily and fraudulently intending
him the said Samuel in this behalf to defraude fully and subtilly to deceive
and defraud the said Summe of five pounds sterl and the costs damages
and interest arising or any part thereof to the said Samuel hath not
paid altho the said Henry after the end of the said twenty days in
the said Bills mentioned at the place aforesaid to do the same by the said
Samuel was requested but hath hitherto refused and doth still refuse
to the damage of the said Samuel ten pounds sterl and therefore
he brings his Suit &c. pledges &c. John Doe Dan Roe &c.

And the said Henry Wrightsby by Francis Willis his Attorney
and defendeth the force and injury when &c. and pray leave to
imparle thereunto until next Court and he hath it the same day given
to plaintiff also — At which said next Court to wit the twenty
seventh day of April anno Dni 1703 comes the said Henry by Francis
Willis his Attorney and defendeth the force and injury when
&c. and say that he did not assume upon himself in manner and
forme as the plaintiff above in his Count hath set forth and thereof
upon puts himself upon the Country &c. — And the said Samuel
Penry altho solemnly called by three Crys on the Crier cometh not to
prosecute his writ nor doth he prosecute his said writ with effect but
maketh default Whereupon it is considered by the Court that the day
and year last mentioned that the said Samuel Penry take nothing by
his writ and be in mercy for his false clamour and that the said
Henry Wrightsby go thereof without day. and it is likewise considered
by the said Court that the said Henry Wrightsby recover against the
said Samuel Penry the Summe of seven hundred and fifty six pounds
of tobacco assessed by the Court adjudged him for his costs and charges
in that behalf laid out and expended according to the forme of the
Statute in that Case made and provided &c.