Whereupon the Debt for damages upon the Bill aforesaid afs
as the Sum of Thirteen hundred and twenty two pounds of ffull of Debt
and the Defendant in Mercy &c.

afterwards to wit the same day and year last aforesaid James the Defendant
in Matthews by Jacob Bequier his Atty afs also upon Court and Legall Examina-
tion of their Selfe & the Jury sworn of the d. Bill for damages afore in the Decl.
afs specified Sayd: The said Jeffrey Gray of the Debt for damages afs
May be acquit Whereupon the said Jeffrey Gray in his proper person
promises and affirmes upon his Fay & Troth the Debt of Sut afs and

Charles &c
vs
Bookbeys &c

Mary Lloyd &c.

James Phillips late of Ballemore County &c. of the last write
and Testament of Edward Bookbey late of the same County deed
otherwise called Edward Bookbey of Ballemore County Gent
was Executor to answer unto William Harpham Gent and Hannah
his wife Executrix late of Hannah Clarke widow deceased of the
Testatrix and Testament of Philip Clarke gent deceased afs Sayd
render unto the in the said Sum of forty pounds & money of England which
from them unjustly detaines &c.

And Whereupon the said Will and Hannah by George Slater their
Atty Say y. to the said Edward Bookbey in his life time to wit
the Eighth first day of October Anno Dni 1696 at Ballemore County afs
By his Certaine Bond or Writing Obligatory Sealed with his Seale of
Armes the said Edward and there in Court produced which date is the day
and year afs Sayd Justly indebted unto the said Philip Clarke in his life time
in the said Sum of forty pounds & money of England to be paid to the
said Philip Clarke his heirs Executors Administrators or Assigns to the which payment
well and truly to be made the said Edward Bookbey bound himself
his heirs &c and Executors in and for the whole Jointly and Severally
by their proper Sealed with his Seale afs Upon Which the
the said Edward Bookbey in his life time the said Sum of
forty pounds did unto the said Philip in his life time Lawfully
pay nor the said James Phillips &c. of the said Edward Bookbey
since his death nor to the said Hannah Clarke late nor to the said
William and Hannah since the Exponents Coverture Whom the Defendt
afore demanded Yet not paid but the same to them to pay hath denied
and still doth deny to the Damage of the said William and Hannah
&c afs to the Value of Eighty pounds & and thereof they bring their Suit
&c. Slater pro q. Edgell &c. John Dan Red Rec

And the said Hannah Clarke comes to Court the first day
Hereby &c.

(and

And the said James by Jacob Bequier his Atty Comes and Defends the
Force and Injury when &c. and prays Oyer of the Bond or writing obligatory
to him read to Him the said Atty prays Oyer of the Condition of the same bond
and it was unto him in these words following viz: The Condition of the
above obligation is such y. if the above bound Edward Bookbey do and
truly pay unto the above named Philip Clarke heirs Executors
Administrators or Assigns the Sum of forty pounds & on the
fifth day of November which shall be in the year of our Lord one thousand
Six hundred and ninety and nine Lawfull money of England on the fifth day of
November next ensuing the date hereof Then this Obligation to be void
Sufficient Bill of Exchange drawn on Sworn Atty afore in the Kingdom
of England and punctually paid according to the tenor thereof then this
obligation to be void and of none effect or otherwise it to stand and remain
in full force and virtue

Which being read and heard the said James Phillips by his Atty
afs prays Liberty to Imparle thereunto until next Court and he
it. The same day it is given the plaintiff also Att which said next Court
to wit this Twenty fourth day of April Anno Dni 1703 Comes again the
said parties by their Attys afs and the said Jacob Bequier Atty as afs Sayth
y. he is not informed of his Client of any Sufficient Matter or Thing to
plead in Barr or Abatement of the action afs brought afs Sayd
The said William Harpham and Hannah his wife remains against the
James Phillips &c. as afs Altogether undefended

It is therefore considered by the Court here this twenty fourth
day of April afs y. the said William &c. recover against the said James
Phillips &c. afs as well the Sum of forty pounds & money of
England the Debt afs as the Sum of Fourteen hundred and twenty one
pounds of the same Costs of Suit of the goods and Chattels which were of
the said Edward Bookbey at the time of his death in his hands to be levied
of them y. said James (viz) remaining to be administered and the Defdt
in Mercy &c.

Whereupon the said William &c. by their Atty afs in open Court
rebate unto the said James &c. as afs the penalty of the obligation afs
reserving to themselves the principall and Lawfull interest which said principall
Debt and Lawfull Interest in the whole amounts to the Sum of twenty
five pounds thousand the Costs of Suit afs

Geo: Slater Atty
John Dennis

The said George Slater in his Ptff Person brought his Writ
of Capias ad Respondendum against the said John Dennis
which Writ Witnesses viz: Anne by the grace of God of England

(Scotland