hath not at any time Paid to the Said Thomas Bordley or unto his Order according to the Tenour of the Bills of Exchange afs. nor otherwise And this he is ready to verifie Wherefore he Prays Judgment & his Debt afs. together with his Damages by Occasion of Detaining the Same Debt to him to be Adjudged &c

And the Said Thomas Cockey Saith that the Plea afs. of the Said Thomas Bordley by Replication above Pleaded & the Matter therein Contained are not Sufficient in Law to maintain the Action afs. or to Compelle him the Said Thomas Cockey to Answer or rejoyne thereto And that to that Plea hath no Ground nor by the Law of the Land is held to Answer or rejoyne And this he is ready to verifie Wherefore for want of a Sufficient Replication in this Part the Said Thomas as before Prays Judgment that the Said Thomas Bordley from having or maintaining his Action afs. against him to be Precluded —

And the afs. Thomas Bordley for that he hath Above alledged Sufficient Matter in Law in his Replication afs. his Action afs. against him the Said Thomas Cockey to have and maintain which he is ready to verifie which Matter the Said Thomas Cockey hath not gain sayed nor to the Same in any wise Answered but the Same Verification to Admit doth altogether refuse the Said Thomas Bordley as before prays Judgment and his Debt afs. together with his Damages by Occasion of Detaining the Same Debt to him to be Adjudged &c —

Whereupon all and Singular the Premisses being by the Court here Soon heard and fully Understood and Mature Deliberation being thereupon had for that it Seems to the Court here that the Plea afs. by the afs. Thomas Bordley above by Replication Pleaded and the Matter in the Same Contained are good and Sufficient in Law his Action afs. against him the Said Thomas Cockey to have & maintain —

Therefore It is Considered by the Justices here this 19th Day of October Anno Domi 1725 that the Said Thomas Bordley recover against the Said Thomas Cockey as well the Sum of Fourteen Hundred & forty pounds Stert his Debt afs. as also the Sum of three hundred & thirty five pounds of Tob. by the Court here Adjudged unto him for his Cost and Damages Sustained by Occasion of Detaining the Same Debt and the Defendant in Mercy &c

Whereupon the Said Thomas Cockey prays an Appeal from the Judgment of this Court so as afs. rendered against him to the high Court of Appeals of this Province which is granted upon giving Security for the Due Prosecution thereof according to Law —

Whereupon afterwards in the Same Court or Form the Said Thomas Cockey together with William Rogers Robert Gordon James Govans Patrick Sympson Mordecai Hammond and John Cockey his Securities Enter into the following Bond for the Due Prosecution of the Appeal afs. according to Law viz —

Know all Men by these Presents that We Thomas Cockey of Anne Arundel County Gent William Rogers Robert Gordon, James Govans Patrick Sympson, Mordecai Hammond of the Same County, Gentlemen and John Cockey of Baltimore County Gent are held and firmly bound unto Thomas Bordley Esq. in two Thousand Eight Hundred and Eighty Pounds Stert and three Thousands Pounds of Tob. to be paid to the said Thomas Bordley his Exr. Adm. Assigns or certain Attorney to the which Payment well & truly to be made we bind our Selves and every of our Heirs Exrs. and Adm. jointly and Severally in the whole and for the whole firmly by

these Presents Sealed with our Seals & Dated this two & twentieth Day of October Anno Domi 1725 —

The Condition of the above Obligation is Such that whereas the above bounden Thomas Cockey hath appealed from a Judgment of the Provincial Court rendered for the above named Thomas Bordley against the Said Thomas Cockey for fourteen hundred and forty Pounds Stert debt and Cost of Suit to the high Court of Appeals Now if the said Thomas Cockey Shall Prosecute his Said Appeal with Effect according to the Directions of the Act of Assembly in Such Cases Provided and also Satisfie and Pay to the Said Thomas Bordley his Exr. Adm. or Assigns in Case the Said Judgment Shall be Affirmed or make all the Debt Cost & Damages Adjudged by the Provincial Court as afore Said as also all Cost and Damages that Shall be awarded by the high Court of Appeals Then the above Obligation to be Void and of none Effect Else to be in full force and virtue —

Sealed & Delivered in the presence of —

Thos Bowsby
Philip Lee —

Thos Cockey . . . (Seal) Patrick Sympson (Seal)
William Rogers (Seal) Mord. Hammond (Seal)
Robert Gordon . (Seal) John Cockey (Seal)
Govans. . . . (Seal)

Which being read & heard It is Ordered that a fair Transcript of the Proceedings afs. be transmitted to the High Court of Appeals Pursuant to the Prayer and Appeal afs. of the Said Thomas Cockey —

The Court Adjourns to the third Tuesday in May next

Test

Rachel Denton Clk