of Baltimore County in the Province aforesaid if he should be found in his Bailywick and him safe
safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be
held at Annapolis the second Tuesday of April then next to Answer unto Charles Croxall Administrator
of Rachel Bailey in a Plea that he render unto him the Sum of fifteen hundred Eighteen
Pounds three Shillings Current Money which to him he Owes and unjustly detains &c. and
that thereof he the said Sheriff should not fail &c. And the aforesd Charles Croxall by
Stephen Bordley his Attorney declares against the aforesd John Race Junr in the Plea aforesd as follows
viz. Maryland Ss. John Race Junr late of Baltimore County Gentleman otherwise called John
Race Junr of Baltimore County in the Province aforesaid was Summoned to Answer unto Charles
Croxall Administrator of Rachel Bailey in a Plea that he render unto him the Sum of fifteen
hundred Eighteen Pounds three Shillings Current Money which to him he Owes and unjustly
detains &c. And Whereupon the said Charles by Stephen Bordley his Attorney saith that Whereas
the aforesd John on the first Day of December in the Year of our Lord one thousand Seven fifty nine
at Baltimore County aforesd by his certain writing Obligatory acknowledged himself to be held &
firmly bound unto him the said Charles in the aforesd Sum of Fifteen eighteen Pounds and three
Shillings Current Money to be paid to him the said Charles when afterwards he should be
thereunto required Nevertheless the aforesd John (altho' often thereunto required) the aforesd Sum of
Fifteen hundred Eighteen Pounds and three Shillings to him the said Charles hath not
rendred or paid but the same to him hitherto to render or pay he hath altogether refused and still
doth Refuse whereby he says he is the worse and hath Damage to the Value of One Hundred Pounds
Current Money aforesd and therefore he brings Suit &c. And brings here into Court the writing Obligatory
aforesd sealed with the Seal of the aforesd John which the Debt aforesd in form aforesd Witnesseth whose Date is the
Day and Year aforesd &c.

Pledges &c. { John Doe, Richard Roe }

A Copy of which aforegoing Declaration was made and sent with the Writ in the Plea aforesd
At which said second Tuesday of April to wit the 10th Day of the same Month Anno Domi: 1753 being
the Day of the return of the foregoing Writ come the said Charles Croxall by Stephen Bordley his
Attorney and the Sheriff of Baltimore County to whom the same Writ was directed likewise
comes and makes return thereof to the Court here thus Endorsed viz.

Cepi Copy in time W Young Shff.

And the said John Race Junr being called upon appears and is adjudged (at the Prayer of the
Plaintiff by his Attorney aforesd) to give special Bail to the Action aforesd Whereupon the said John
files in Court here the following Bail Bond viz. Charles Croxall Admr of Rachel Bailey Plaintiff
against John Race Junr Defendant Your Richard Dallam and William Smith do undertake
for the said John Race Junr Defendant in the Sum of fifteen hundred and Eighteen Pounds
three Shillings Current Money to be levied on your and either of your Lands and Tenements Goods &
Chattels to the use of the said Charles Croxall Administrator of Rachel Bailey the Plaintiff upon
Condition that if the said Charles Croxall do obtain Judgment in an Action of Debt depending in the
Provincial Court against the said John Race Junr the Defendant that then the said John Race Junr
shall pay the Condemnation thereupon or deliver himself to the Custody of the Sheriff of Baltimore
County in satisfaction thereof or you or either of you will do it for him They acknowledge
themselves to be bound therewith this sixteenth Day of April Anno Domi: 1753 before Robert Adair
To the Honble the Justices of the Provincial Court John Howard

And the aforesd John Race Junr by Daniel Dulany his Attorney comes and defends the force and injury when &c
and prays a hearing of the writing Obligatory aforesd and it is said to him he prays also a hearing
of the Condition of the said Writing Obligatory and he hath it in these words following to wit
The Condition of the above Obligation is such that if the above bound Thomas Sheldine

(John)

John Race Junr Thomas Leigh or Talbot Richards do and shall well and truly pay unto the above named
Charles Croxall his Exrs or Admrs the full and just Sums of Seven hundred fifty nine Pounds one shilling and
six Pence with Five per Cent Interest etc upon the tenth Day of June in the Year of our Lord One Thousand
seven Hundred and fifty two that then the above Obligation to be void and of none Effect or else to stand &
remain in full force Power and virtue in Law. Which being read and heard the said John Race Junr
by his Attorney prays leave to imparle hereunto until next Court and he hath it and the same Day is
given to the Plaff also. At which said next Court to wit the 11th Day of September Anno Domi: 1753
comes again as well the said Charles Croxall by his Attorney aforesd as the aforesd John Race Junr by his Attorney
aforesd and the said John Race Junr by his said Attorney as before defends the force and injury when &c. And
with that he ought not to be charged with the aforesd Debt by means of the Writing Obligatory aforesd because he saith
that the said writing is not his Deed and of this he puts himself upon the Country and the aforesd Charles in
like manner and so forth. And the said John here with the leave of the Court according to the Form of the
Statute in such case lately made and provided further by his said Attorney comes and defends the force
and injury when &c. And saith that the aforesd Charles ought not to have or maintain his Action aforesd
because he saith that after the making of the said Writing Obligatory and before the Day on which the
Writ Original aforesd of the aforesd Charles was imparted to wit at Baltimore County aforesd he the said John paid
to the said Charles the Sum of Seven hundred and fifty nine Pounds one Shilling and six Pence with
five per Cent Interest according to the Condition aforesd and this he is ready to Verify Whereupon he
prays Judgment whether the said Charles his Action thereof aforesd ought to have or maintain
against him and so forth. And the aforesd Charles as to the second Plea of him the said John saith
that he by any thing in the said second Plea above alledged from having his Action aforesd to be
precluded ought not because he says that the aforesd John did not pay to him the said Charles the
aforesd Sum of Seven Hundred fifty nine Pounds one shilling and six Pence with five per Cent
Interest according to the Condition aforesd and this he prays may be enquired of by the Country and
the aforesd John in like manner and so forth.

Whereupon for trying the Issues aforesd Command is given to the Sheriff of Baltimore County that
he cause to come before the Justices of the Provincial Court at Annapolis the Third Tuesday of
May next or before the Justices appointed to take the Assize in his County if they shall before
that time to wit on Tuesday the second Day of April next to the County Court House in the said
County come twelve Good and Lawfull Men of his Bailywick by whom &c who neither &c To Recognize &c
because as well &c. Afterwards the Suit continued between the Parties aforesd in the Plea aforesd by the Jury
being put thereon in Respite here until the Third Tuesday of May next unless the Justices of his Lordships
the Lord Propry to take the Assize in the said County Assigned on Tuesday the second Day of April
next to the County Court House in the said County shall come

And now here at this Day to wit the said Third Tuesday of May being the 21st Day of the same
Month Anno Domi: 1753 comes again into his Lordships said Provincial Court here as well the said
Charles Croxall by his Attorney aforesd as the aforesd John Race Junior by his Attorney aforesd But the Sheriff
hath not sent his Writ. Whereupon for trying the Issues aforesd Command is again given to the
Sheriff of Baltimore County that he cause to come before the Justices of the Provincial Court at
Annapolis the third Tuesday of October next or before the Justices appointed to take the Assize in
his County if they shall before that time to wit on Tuesday the third Day of September next to the
County Court House in the said County come twelve Good & Lawfull Men of his Bailywick by
whom &c who neither &c To Recognize &c because as well &c

(afterwards)