his Action aforesaid against them to be precluded ought not
because he Saith that the aforesaid John, Thomas, and Henry did
not pay and Satisfy unto him the Said David Jameson the Said
Sum of Two hundred and Sixty one pounds Seventeen Shillings
Sterling in the Condition of the Writing aforesaid mentioned and
the Interest thereon due for the same before the Suing out of the
Original Writ of him the Said David Jameson in this Cause as the
aforesaid John Thomas and Henry in their Plea aforesaid have alledged
and this he prays may be enquired of by the Country and so forth
and the aforesaid John Thomas and Henry in like Manner.
Nevertheless the said John Martin Thomas Martin and
Henry Ayres by their Attorney aforesaid Relinquishing the Aver-
-ments above by them pretended, the said Charles Gotsborough their
Attorney Saith that he is not informed by the Said John Martin
Thomas Martin and Henry Ayres of any Answer for the said John
Martin Thomas Martin and Henry Ayres to the aforesaid David
Jameson in the Plea aforesaid to be given and nothing Else thereof
Saith whereby the Same David Jameson remains against the Same
John Martin Thomas Martin and Henry Ayres thereof undefended
&c. Therefore It is Considered by the Justices here that the
Said David Jameson recover against the Said John Martin, Thomas
Martin and Henry Ayres as well the Sum of Five hundred and
Twenty three Pounds fourteen Shillings his Debt aforesaid as also
the Sum of
Pounds of Tobacco by the Court here unto him on his Assent adjudged
as well for his Damages Sustained by Occasion of the Detention of
that Debt as for his Costs and Charges by him about his Suit in
this behalf laid out and Expended and the said Defendants in Mercy
&c

Test.

Pl. Robert Swan
vs
Def. John Martin

Be it Remembered heretofore Command was given to the Sheriff of Worcester County that he should take John Martin of Worcester County Merchant otherwise called John Martin of Worcester County of the Province of Maryland Merchant if he should be found in his Bailiwick and him Safe keep so that he should have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the third Tuesday of May then next to Answer unto Robert Swan of a Plea that he render unto him the Sum of Four hundred and fifty five pounds four Shillings Sterling Money of Great Britain which to him he Owes and unjustly detains &c. and that therefore he the said Sheriff should not fail and so forth

And the aforesaid Robert Swan by Edward Dorsey his Attorney declared against the aforesaid John Martin in the Plea aforesaid as follows to wit
+ Worcester County to wit John Martin late of Worcester County Merchant otherwise called John Martin of Worcester County of the Province of Maryland Merchant was Summoned to Answer unto Robert Swan of a plea that he render unto him the Sum of four hundred and fifty five Pounds four Shillings Sterling Money of Great Britain which to him he owes and unjustly detains &c. And Whereupon the said Robert by Edward Dorsey his Attorney saith that whereas the aforesaid John on the Twenty Seventh day of October in the Year of our Lord Seventeen hundred and fifty three at Worcester County aforesaid by his certain Writing Obligatory with the Seal of him the said John Sealed acknowledged himself to be held and firmly Bound unto the said Robert in the aforesaid Sum of four hundred and fifty five pounds four Shillings Sterling Money of Great Britain to be paid unto the said Robert when afterwards he Should be thereunto required Nevertheless the said John altho often required the aforesaid Sum

(of)