Plff: John & William Ruth ag[t]
Defr: Robert Weir

Command was given to the Sheriff of Cecil County that he should take Robert Weir late of Cecil County in the province of Maryland Merchant otherwise Called Robert Weir Merchant in Cecil County in province afs if he should be found in his Bailiwick, and him safe keep so that he should have his Body before the Justices of his Lordship's Provincial Court to be held at Annapolis the second Tuesday of September then next to Answer unto John Ruth and William Ruth in a plea that he render unto them the penal Sum of Two hundred Pounds Current Money which to them he owed and unjustly Detained &c forth. And that he should have then and there that Writ &c At which said second Tuesday of September Anno Domini 1764 being the Day of the Return of the aforegoing Writ Comes the said John & William Ruth by Solomon Wright their Attorney And the Sheriff of Cecil County to whom the same Writ was Directed likewise Comes and makes Return thereof to the Court here thus Endorsed to wit, Copi Corpus, Rich[d] Thomas Shff

And the said Robert Weir being called upon appears. And at the prayer of the plaintiffs by their Attorney aforesaid is Adjudged to give Special Bail to the Action aforesaid But for want thereof he is Committed to the Custody of the Sheriff of Cecil County there to remain until &c who being present took Charge of him accordingly — And the said John & William Ruth By their Attorney aforesaid Declared against the said Robert Weir in the plea aforesaid as follows to wit, — Cecil County to wit, Robert Weir late of Cecil County in the province of Maryland Merchant otherwise called Robert Weir Merchant in Cecil County in province af[s] was summoned to Answer unto John Ruth and William Ruth in a plea that he render unto them the penal Sum of Two hundred Pounds Current Money which to them he owes and unjustly Detains and &c forth. And Whereupon the same John and William By Solomon Wright their Attorney say that whereas the aforesaid Robert Weir on the Tenth Day of February in the Year of our Lord One thousand Seven hundred and Sixty four at the County aforesaid by his Bill Obligatory Sealed with the Seal of the af[d] Robert which the af[d] John and William here into Court do bring the Date whereof is the same Day and Year aforesaid acknowledged himself to owe unto the af[d] John and William the Sum of Eighty two Pounds and Eight pence Current Money to be paid unto the said John and William their Executors, Administrators or Assigns on the first Day of March then next ensuing the Date of the aforesaid Bill Obligatory with legal Interest thereon. And to the same payment well and truely to be made the aforesaid Robert did bind himself his Heirs Executors & Administrators in the aforesaid penal Sum of Two hundred Pounds Money as aforesaid firmly by the same Bill. And the aforesaid John and William in fact say that the aforesaid Robert did not pay the said Sum of Eighty two Pounds and Eight pence Current Money on the first Day of March then next ensuing the Date of the said Bill Obligatory with legal Interest thereon according to the form and effect of the same Bill Obligatory Whereby Action hath accrued unto the said John and William to Demand and Have of the af[d] Robert the aforesaid penal Sum of Two hundred Pounds Money as aforesaid Nevertheless the aforesaid Robert (Altho' often required) the af[d] Sum of two hundred Pounds to them the said John and William hath not yet paid But that unto them to pay hitherto the af[d] Robert hath altogether refused & still doth refuse to the Damage of the said John and William two hundred Pounds Current Money of Maryland and therefore they bring Suit &c forth.

Pledges &c forth John Doe & Rich[d] Roe

And the aforesaid Robert Weir in Custody as aforesaid by Charles Gordon his Attorney Comes and

and defends the Force and Injury when and &c forth And Prayeth leave to Imparle hereunto until next Court and he hath it. And the same Day is given to the plaintiffs also. — At which said next Court to wit the second Tuesday in April Anno Domini 1765 Comes as well the said plaintiffs by their Attorney aforesaid as the said Defendant by his Attorney aforesaid And the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is given to the plaintiffs also. — At which said next Court, to wit, the second Tuesday in September Anno Domini 1765 Comes again as well the said plaintiffs by their Attorney aforesaid as the said Defendant by his Attorney aforesaid And the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is given to the plaintiffs also. — At which said next Court, to wit, the second Tuesday in April Anno Domini 1766 Comes again as well the said plaintiffs By their Attorney aforesaid as the said Defendant by his Attorney aforesaid And the said Defendant by his said Attorney as before Defends the Force and Injury when and &c forth, and saith that the aforesaid John & William their Action aforesaid against him to have or maintain ought not, because he saith that he did pay unto the said John & William the said Sum of Eighty two Pounds and Eight Pence Current Money in the Condition of the Writing Obligatory aforesaid mentioned according to the form and effect of the same Condition, to wit at the County aforesaid and this he is ready to Verify. Wherefore he prays Judgment if the said John & William their Action aforesaid against him, to have or Maintain, Ought &c — And the aforesaid John & William say that they from having and maintaining their Action aforesaid against the aforesaid Robert ought not to be precluded because they say that the aforesaid Robert did not pay unto them the same John & William the said Sum of Eighty two Pounds and Eight pence Current Money in the Condition of the Writing Obligatory aforesaid mentioned according to the form and effect of the Condition aforesaid in manner and form as the aforesaid Robert above in pleading hath alledged and this they pray may be Enquired of By the Country and the aforesaid Robert likewise. — Nevertheless the said Robert by his Attorney aforesaid Relinquishes the Averment aforesaid above by him pretended says that he cannot Deny the Action aforesaid of the aforesaid John & William so as aforesaid against him brought nor but that the Writing aforesaid is the Deed of him the said Robert nor but that he owes to the said John & William the aforesaid Sum of Two hundred Pounds Current Money in manner and form as the aforesaid John & William above against him have Declared Therefore it is Considered by the Justices here that the said John & William, Recover against the said Robert as well the Sum of Two hundred Pounds Current Money his Debt aforesaid as the Sum of five hundred and fifty Eight Pounds of Tobacco by the Court here into them, on their Account adjudged as well for their Damages sustained by means of Detaining that Debt as for their Costs and Charges by them about their Suit in this behalf laid out and expended And the said Robert in Mercy &c forth. — Memorandum the plaintiffs releases the penalty on payment of Principal Interest & Costs.