# October Term 1766.

130 John Manning against John Penwick & Robert Penwick } Be it Remembered that heretofore towit the Second Day of July Anno Domini Seventeen hundred and Sixty five Command was given to the Sheriff of Saint Marys County that he should take John Penwick and Robert Penwick late of Saint Marys County Planters otherwise called John Penwick and Robert Penwick of Saint Marys County Planters if they should be found in his Bailiwick

Sgs and them safe keep so that he might have their Bodies before the Justices of his Lordships Provincial Court to be held at Annapolis the second Tuesday of September then next to answer unto John Manning of a plea that they render unto him the sum of Five Hundred and Sixty Pounds Sterling Money of great Britain which to him they owe & unjustly detain and so forth And that thereof he the said Sheriff should not fail at his Peril &ta And the aforesaid John Manning by John Hall his Attorney Declared against the said John Penwick & Robert Penwick in the Plea aforesaid as follows towit

St Marys County } Court

To Marys County towit John Penwick & Robert Penwick late of St Marys County Planters otherwise called John Penwick and Robert Penwick of St Marys County Planters were Summoned to Answer unto John Manning of a plea that they render unto him the Sum of Five hundred and Sixty Pounds Sterling Money of Great Britain which to him they owe and unjustly detain and so forth And Whereupon the said John Manning by John Hall his Attorney saith that whereas the aforesaid John Penwick and Robert Penwick on the twenty ninth Day of December in the Year Seventeen hundred and Sixty four at Saint Marys County aforesaid by their certain writing Obligatory acknowledged themselves to be held and firmly bound unto him the said John Manning in the aforesaid Sum of five hundred and Sixty Pounds Sterling Money of Great Britain to be paid to him the said John Manning when afterwards they should be thereunto required Nevertheless the aforesaid John Penwick and Robert Penwick (all this of late thereunto required) the aforesaid Sum of five hundred and Sixty Pounds Sterling Money of Great Britain to him the said John Manning hath not rendered or paid but the same to him hitherto to render or pay they have altogether refused and still do refuse wherefore he saith he is the worse and hath Damage to the Value of two hundred & eighty Pounds Sterling Money aforesaid and therefore he brings suit &c so forth And brings here into Court the writing Obligatory aforesaid Dated with the Seal of the aforesaid John Penwick and Robert Penwick which the Debt aforesaid in Form aforesaid Witnesseth the Date whereof is the Day and Year aforesaid &c so forth

Pledges &ta John Doe & Richard Roe

At which said Second Tuesday of September towit the 10th Day of the same Month Anno Domini 1765 being the Day of the Return of the aforegoing writ comes the said John Manning by his Attorney aforesaid and the Sheriff of Saint Marys County to whom the same writ was directed likewise comes and makes return thereof to the Court here thus Endorsed to wit Copi Copy in Pino ffi Jeremiah Jordan Sher

And the said John & Robert Penwick being called upon appears and at the Prayer of



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of the Plaintiff by his Attorney aforesaid is Adjudged to give Special Bail to the Action aforesaid Thereupon the said John & Robert Penwick by Edmund Key their Attorney file in Court here the following Bail Piece towit Saint Marys County towit John Manning Plaintiff against John Penwick & Robert Penwick Defendants You Enoch Penwick and Samuel Abell Junr and either of you do undertake for the said John Penwick and Robert Penwick Defendants in the sum of five hundred and Sixty Pounds Sterling Money of Great Britain to be levied on you and either of your Land and Tenements Goods and Chattels to the use of the said John Manning the Plaintiff upon Condition that if the said John Manning do Obtain Judgment in an Action of Debt Depending in the Provincial Court against the said John Penwick and Robert Penwick the Defendants that then the said John Penwick and Robert Penwick shall pay the condemnation of the Court thereupon or Deliver themselves to the Custody of the Sheriff of the County of St Marys County in Satisfaction thereof or you or one of you will do it for them they acknowledge themselves content therewith this Sixth Day of September Anno Que Dom 1765 Before Geo Plater Hugh Hopewell

To the Honourable the Justices of the Provincial Court

And the aforesaid John & Robert Penwick by their Attorney aforesaid come and defend the force and injury when &c and pray in hearing of the writing Obligatory afsd &c the Condition thereof and they have them as follows towit Maryland to wit Know all men by these Presents that we John Penwick and Robert Penwick of St Marys County Planters are held and firmly bound unto John Manning of Prince Georges County in the full and just Sum of Five hundred and Eighty Pounds Sterling Money of Great Britain to be paid unto the said John Manning his certain Attorney Executors Administrators or to the which Payment well and truly to be made and done we bind ourselves our Heirs Executors and Administrators firmly by these presents sealed with our seals and Dated this twenty ninth Day of December Anno Domini one thousand and Seven hundred and Sixty four

The Condition of the above Obligation is such that if the above bound John Penwick and Robert Penwick do and shall well & truly pay or cause to be paid unto the said John Manning his certain Attorney Executors Administrators or Assigns the Just and full sum of two hundred and eighty Pounds Sterling Money of Great Britain at or upon the Twentieth Day of March next ensuing the Date Hereof with Legal interest thereon then the above Obligation to be void else to remain in full force and Virtue in Law

Which being read and heard the said John & Robert Penwick by their Attorney afsd pray leave to imparle hereunto Until next Court and they have it and the same Day is given to the Plaintiff also At which said next Court towit the 6th Day of April Anno Domini 1766 comes again as well the said John Manning by his Attorney aforesaid as the afsd John and Robert Penwick by Thomas Jennings their Attorney and the said John and Robert Penwick by their Attorney afsd (as before) defend the force and injury when &ta & say that they ought not to be charged (with