J. H.[y] John Cadwallader
against
J. R. John Hepburn.

Command was given to the Sheriff of Prince Georges County that he should take John Hepburn if he should be found in your Bailiwick and him should 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 September then next to answer unto John Cadwallader of a Plea that he render unto him the full and just Sum of thirteen hundred and thirty Pounds seven Shillings and seven Pence Sterling Money of Great Britain which to him he owed and unjustly detained and so forth. And that thereof he the said Sheriff should not fail &c.

And the said John Cadwallader by James Holliday his Attorney declared against the said John Hepburn in the Plea aforesaid as follows to wit. Prince Georges County to wit. John Hepburn late of Prince Georges County Gentleman otherwise called John Hepburn of Prince Georges County Maryland was summoned to answer unto John Cadwallader of a Plea that he render unto him the full and just Sum of thirteen hundred and thirty Pounds seven Shillings and seven Pence Sterling Money of Great Britain which to him he owes and unjustly detains and so forth. — And whereupon the aforesaid John Cadwallader by James Holliday his Attorney saith that whereas the aforesaid John Hepburn the eleventh Day of April one thousand seven hundred and seventy one at Prince Georges County aforesaid by his certain Writing obligatory had granted himself to be held to the said John Cadwallader by the Name of John Cadwallader of the City of Philadelphia in the Province of Pensylvania Gentleman in the aforesaid full and just Sum of thirteen hundred and thirty Pounds seven Shillings and seven Pence Sterling Money of Great Britain to be paid to the said John Cadwallader when afterwards he should be thereunto required. Nevertheless the said John Hepburn altho' often required the aforesaid Sum of thirteen hundred and thirty Pounds seven Shillings and seven Pence Sterling Money of Great Britain or any Part thereof unto the said John Cadwallader hath not paid but the same to him to pay hath refused and still doth refuse to the Damage of the said John Cadwallader one thousand Pounds sterling Money aforesaid and therefore he brings Suit &c. so forth. And he brings into Court here the Writing obligatory aforesaid which the Debt aforesaid in Form aforesaid witnesseth the Date whereof is the Day and Year aforesaid &c. so forth.

Pledges &c.[a] John Doe, R.[d] Roe

A Copy of which a foregoing Declaration was made and sent with the Writ which issued in the Plea aforesaid. At which said second Tuesday of September to wit the 13th Day of the same Month Anno Domini 1774 being the Day of the Return of the aforegoing Writ Comes the said John Cadwallader by his Attorney aforesaid and the Sheriff of Prince Georges County to whom the same Writ was directed likewise comes and makes Return thereof to the Court here thus endorsed to wit. — Cepi and Copy left 23d August 1774.

Ralph Forster Sh.[ff] P.[r] Geo.[s] Co.[y]

And the aforesaid John Hepburn being called upon appears at the Prayer of the Plaintiff by his Attorney aforesaid, the said John Hepburn is adjudged to give special Bail to the Action aforesaid. Whereupon a certain John Cocke Esq.[re] withdraw from the Bench and undertakes for the said John Hepburn, that if it should happen that Judgment in the Plea aforesaid should be rendered for the said John Cadwallader against the aforesaid John Hepburn and

and he should be therein legally convict that then the said John Hepburn should pay and satisfy unto the aforesaid John Cadwallader the Judgment of the Court thereupon or render his Body into Custody of the Sheriff of the County aforesaid in Satisfaction thereof for that he the said John Cocke Esq.[re] will do the same for him. —

And the said John Hepburn by John Rogers his Attorney comes and defends the Force and Injury when and so forth and prays an Hearing of the Writing obligatory aforesaid and the Condition thereof and he hath them as follow to wit. —

Know all Men by these Presents that I John Hepburn of Prince Georges County Maryland am held and firmly bound unto John Cadwallader of the City of Philadelphia in the Province of Pensylvania Gentleman in the full and just Sum of thirteen hundred and thirty Pounds seven Shillings and seven Pence Sterling Money of Great Britain to the paid unto the said John Cadwallader his certain Attorney, Executors, Administrators or Assigns To the which Payment well and truly to be made and done I bind myself, my Heirs, Executors and Administrators in and for the whole firmly by these presents sealed with my seal and dated this Eleventh day of April Anno dominico one thousand seven hundred and seventy one. The Condition of the above Obligation is such that if the above bound John Hepburn his Executors or administrators do and shall well and truly pay or cause to be paid unto the said John Cadwallader his Certain Attorney Executors Administrators or assigns the just and full sum of Thirteen hundred and Sixty five pounds three Shillings and Nine pence half penny Sterling Money aforesaid at or upon the first day of May next ensuing the date hereof with legal Interest for the same, then the above Obligation to be void else to remain in full and Virtue in Law.

Which being read and heard the said John Hepburn by his said Attorney prays leave to Imparle hereunto until next Court and he hath it, and the same day is given to the plaintiff also, at which said next Court, to wit the second Tuesday of April being the eleventh Day of the same Month Anno Domini 1775 comes as well the said John Cadwallader by his Attorney aforesaid as the said John Hepburn by his Attorney aforesaid, and the said John Hepburn by his said Attorney defends the Force & Injury when and so forth and saith that he with the Debt aforesaid by Virtue of the Writing aforesaid in the Declaration aforesaid mentioned to be burthened ought not because he saith that the Writing is not his Deed and of this he puts himself upon the Country and so forth.

And the aforesaid John Hepburn with the Leave of the Court here according to the Form of the Statute in such Case made and provided comes and further defends the Force