1780 to which time the same Court from the second Tuesday of May 1780 by an Act of Assembly for that purpose made was adjourned come again the said parties plaintiff and defendant by their Attornies aforesaid and the said Thomas Worthington by his Attorney aforesaid defends the force and injury when and so forth and offers himself ready against the aforesaid John Porks and William Deighton in the plea aforesaid but the said John Porks and William Deighton altho solemnly come not but make default nor do they further prosecute their Writ against the said Thomas Worthington in the plea aforesaid Therefore it is considered by the Judges here that the said John Porks and William Deighton take nothing by their writ aforesaid but be in mercy for their false clamour and that the said Thomas Worthington go thereof without day &c^a And it is also considered that the said Thomas Worthington recover against the said John Porks and William Deighton the Sum of pounds of Tobacco for his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof his Execution &c^a

Test Thos. B. Hodgkin Clk

Rd. William Deighton surviving partner of Perks and Deighton against Thomas Worthington

Baltimore County Jt.

Thomas Worthington late of Baltimore County Merchant was attached to answer unto William Deighton of a plea of Trespass on the case and so forth

Tgs.

And whereupon the said William by Robert Alexander his Attorney complains that whereas the aforesaid Thomas on the seventh day of November in the Year seventeen hundred and seventy two at Baltimore County was indebted unto him the said William and a certain John Porks deceased and whom the said William hath survived in the Sum of Six hundred pounds Sterling money of Great Britain for an Article properly chargeable in Account as by a particular account thereof herewith into Court brought may appear being for the like Sum of six hundred pounds Sterling money by him the said William and the said John Porks in the life time of the said John at the special instance and request and to and for the use and behoof of him the aforesaid Thomas before that time there laid out and expended and paid and so being thereof indebted the aforesaid Thomas afterwards to wit on the day and year aforesaid at the County aforesaid in Consideration thereof upon himself assumed and to the said William and John

in the lifetime of the said John then and there faithfully promised that he the said Thomas the aforesaid sum of money to them the said William and John when afterwards he should be thereunto required would well and truly content and pay Nevertheless the aforesaid Thomas his promise and assumption aforesaid so as aforesaid made not regarding but minding and fraudulently intending them the said William and John in the lifetime of the said John and the said William after the death of the said John whom he hath survived in this behalf craftily and subtilly to deceive and defraud the aforesaid Sum of money or any part thereof to the said William and John in the life time of the said John or to the said William after the death of him the said John whom he hath survived hath not contented or paid Altho' so to do the aforesaid Thomas was afterwards to wit on the day and year aforesaid and often afterwards at the County aforesaid by the said William and John in the life time of the said John and by the said William after the death of him the said John whom he hath survived to wit on the day of in the year seventeen hundred and and afterwards at the County aforesaid was requested but the same or any part thereof to content or pay he hath altogether refused and the same to the said William to content or pay still doth refuse to the damage of the said William in the Sum of one thousand pounds Sterling and therefore he brings Suit and so forth

Robt Alexander for Plaintiff. Pledges &c^a { John Doe & Richard Roe

The Account mentioned in the aforegoing Declaration follows in these words and Figures vizt

Thomas Worthington to John Perks & Wm Deighton Dr.

		Strl.
1772 Nov^r	To Cash paid his Bill in fav^r of Willing and Morris for	600

And the aforesaid Thomas Worthington being called upon appears thereupon at the prayer of the plaintiffs by their Attorney aforesaid. The aforesaid Thomas Worthington is Adjudged to give Special bail to the action aforesaid. Whereupon the said Thomas Worthington files in Court here the following Bail-piece Videlicet.

Perks and Deighton Plaintiff Against Thomas Worthington Defendant

You William Smith Junr and Samb^l Carson Junr Do Jointly and severally acknowledge yourselves Special Bail for the said Thomas Worthington at the suit of the said Perks and Deighton in an action of trespass on the case brought by the said Perks and Deighton against the said Thomas Worthington in the Provincial Court

(they)