February in the year one thousand seven hundred and ninety four at the County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto her the aforesaid Margaret Cresap in the just and full sum of Four hundred pounds current Money of Maryland to be paid to her the said Margaret Cresap when afterwards he should be thereunto required. Nevertheless the aforesaid Luther Martin (although often thereunto required) the aforesaid sum of Four hundred pounds current money to her the said Margaret Cresap hath not rendered or paid, but the same sum of current money to her hitherto to render or pay he hath altogether refused, and still doth refuse; wherefore the said Margaret Cresap saith she is the worse and hath Damage to the value of five hundred pounds current money; and thereof she prays relief and so forth; and brings here into Court the writing Obligatory aforesaid, sealed with the seal of the aforesaid Luther Martin which the Debt aforesaid, in form aforesaid Witnesseth, the date whereof is the day and year aforesaid, and so forth. A. Robinson for the Pltff. Pledges Vz. John Doe, and Rich. Roe.

The Oyer of the writing Obligatory aforesaid, and the Condition thereof, follow in these words to wit.

Know all men by these presents that we Luther Martin and James Martin are held and firmly bound unto Mrs. Margaret Cresap of Allegany County in the State of Maryland in the just and full sum of Four hundred pounds current money of Maryland to be paid to the said Margaret Cresap her Heirs and assigns to the which payment well and truly to be made and done we bind ourselves and each of us our & each of our Heirs, Executors and administrators firmly by these presents. Sealed with our Seals and dated this Twenty second day of February in the year of our Lord one thousand seven hundred and ninety four. The Condition of the above Obligation is such that if the above bounden Luther and James do or shall well and truly pay or cause to be paid to the said Margaret Cresap the sum of Two hundred pounds

(current)

current money on demand with legal interest thereon then the above Obligation to be void and of none effect, otherways to be and remain in full force and vertue.

Signed, Sealed & Delivered in presence of us — Luther C. Martin. } Luther Martin (Seal) James Martin (Seal)

And the said Luther Martin in his proper person appears in Court here. And thereupon on motion of the said Margaret Cresap by her attorney aforesaid, It is ruled by the Court here that the said Luther Martin answer to the Bill aforesaid of the said Margaret Cresap in the plea aforesaid; or Judgment by the Court here will be given and entered against him in default hereof; and the said Luther Martin in his proper person defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second tuesday of October next and then to answer to the Bill aforesaid of the said Margaret Cresap in the plea aforesaid: and to him it is granted, the same day is given to the said Margaret Cresap also.

At which said second tuesday of October, being the Tenth day of the same month in the year of our Lord one thousand seven hundred and ninety seven, to which said day the said Luther Martin had leave to imparle and then to answer, come again into the General Court here as well the said Margaret Cresap by James Pillar Boyd and Samuel Johnson her attornies as the said Luther Martin in his proper person. And the said Luther Martin in his proper person (as before) defends the force and injury when and so forth; and saith that the said Margaret Cresap ought not to have or maintain her action aforesaid against him, because he saith, that he the said Luther Martin hath paid to the said Margaret Cresap the said sum of money in the Condition of the said writing Obligatory mentioned with the Interest thereon according to the said Condition of the writing Obligatory aforesaid; and this he is ready to verify: Wherefore he prays Judgment if the said Margaret Cresap ought to have or maintain her action aforesaid against him and so forth. — And the said Margaret Cresap by her attorney aforesaid saith, that she by any thing by the

(said)