April Term 1787.

And the aforesaid James Hutchings by his Attorney aforesaid filed his Declaration in the plea aforesaid in manner and form following to wit: Maryland, Cecil County, to wit: Robert Hodgson, late of Cecil County, Inkholder, was summoned to answer unto James Hutchings, of a plea that he render unto him the sum of two hundred pounds specie, current money of Maryland, which to him he owes & unjustly detains &c. And whereupon the same James Hutchings by Gustavus Scott his Attorney saith that the aforesaid Robert Hodgson, on the thirty first day of March, in the year seventeen hundred eighty and three, at the County aforesaid, by his certain writing obligatory, sealed with the Seal of the aff. Robert Hodgson, and here into Court brought, the date whereof is the same day & year aforesaid, acknowledged himself to be held and firmly bound unto the same James Hutchings in the aforesaid sum of two hundred pounds specie current money of Maryland, to be paid to the aforesaid James Hutchings, whenever after he should be thereunto required, to which payment well and truly to be made and done he the same Robert Hodgson bound himself, his heirs, executors & administrators firmly by the same writing obligatory; Nevertheless the same Robert Hodgson, (altho' often thereunto required) the aforesaid sum of two hundred pounds specie current money of Maryland, or any part thereof, unto the same James Hutchings yet hath not paid, but the same to him to render or pay hitherto altogether hath refused, and still doth refuse to render or pay the same, wherefore he saith he is injured & hath damage to the value of four hundred pounds current money of Maryland, and thereupon he brings Suit &c. Gust. Scott for the Plff. Pledges &c. John Doe, Richard Roe

And the said Robert Hodgson by his Attorney aforesaid, defends the force and injury when and so forth, and prays an hearing of the writing obligatory aforesaid and of the Condition thereof and he hath them as follows, to wit: Know all men by these presents, that I Robert Hodgson, Innholder, am held and firmly bound unto James Hutchings, (Merch.) in the full and just

(sum)

sum of two hundred pounds specie, to be paid to the said James Hutchings 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, Administrators and assigns firmly by these presents. Sealed with my Seal and dated this thirty first day of March Anno Domini, One thousand seven hundred and eighty three.

The Condition of the above Obligation is such, That if the above bound Robert Hodgson do and shall well and truly pay, or cause to be paid, unto the said James Hutchings his certain Attorney, Executors, Administrators or assigns, the full and just sum of One hundred pounds Specie, at or upon the first day of May next with legal Interest thereon, then the above obligation to be void and of none effect, else to be and remain in full force and virtue in Law.

Robert Hodgson (Seal)

Sealed and Delivered in presence of
Nathan Nevolin, John Hodgson

Thereupon further process of and upon the premises aforesaid, between the Parties aforesaid, by consent of the said Parties, and their Attorneys aforesaid, and by order of the Court here thereon was continued until the second Tuesday of September next, following. —

At which said second tuesday of September, Anno Domini, one thousand seven hundred and eighty six, came here again as well the said James Hutchings by his Attorney aforesaid, as the said Robert Hodgson by his Attorney aforesaid and the said Robert Hodgson by his Attorney aforesaid, further defends the force and injury when and so forth, and says that the said James Hutchings ought not to have and maintain his action aforesaid against him, because he says, that the said Robert the first day of May in the year of our Lord one thousand seven hundred and eighty three, paid to the said James one hundred pounds current money being the Principal sum to the said James by the Condition of the said writing obligatory due, together with the whole Interest for the said one hundred pounds then due, to wit at Cecil County aforesaid and this he is ready to verify: wherefore he prays Judgment if the said James ought to have or maintain his

(action)