aforesaid, in manner and form following, to wit: Caroline County Set — Philemon Downes late of Caroline County, Gentleman and Elizabeth his wife administratrix of all and singular the Goods and Chattels, which were of John Tillotson the younger, her late Husband deceased at the time of his death, who died intestate as it is said, were summoned to answer unto Thomas Fisher and Samuel Fisher, of a plea that they render unto them one thousand four hundred and ninety two pounds current money of Pennsylvania, of the value of the same sum of current money of Maryland which from them they unjustly detains and so forth: And whereupon the said Thomas & Samuel by William Tilghman their Attorney say that whereas the aforesaid John Tillotson in his lifetime to wit, on the thirtieth day of July in the year of our Lord one thousand seven hundred and seventy at the County aforesaid by his certain writing obligatory with the Seal of the said John in his lifetime sealed and to the Court here shewn the date whereof is on the same day and year aforesaid acknowledged himself to be held and firmly bound unto the said Thomas & Samuel & a certain Joshua Fisher deceased, whom they have survived in the aforesaid sum of one thousand four hundred & ninety two pounds current money of Pennsylvania of the value of the same sum current money of Maryland, to be paid to the said Thomas, Samuel, & Joshua when he the said John should be thereto afterwards required: Nevertheless the said John in his lifetime and the said Elizabeth after his death and before the marriage between her and the said Philemon Downes solemnized, and the said Philemon and Elizabeth his wife since the marriage between them solemnized, altho' often thereto required, the aforesaid sum of one thousand four hundred and ninety two pounds current money of Pennsylvania or the aforesaid value thereof in current money of Maryland to the said Thomas Samuel, and Joshua, in the lifetime of the said Joshua or to the said Thomas & Samuel since the death of the said Joshua or to either of them, have not paid, nor hath either of them paid, but the same to them to pay

/have/

have hitherto altogether refused, and to the said Thomas & Samuel to pay the said Philemon & Elizabeth his wife still do refuse &c. to the damage of the said Thomas & Samuel fifteen hundred pounds current money of Maryland, & thereupon they bring suit and so forth. — Mr. Tilghman (Pledges &c.) John Doe, Richard Roe

And the aforesaid Thomas Fisher and Samuel Fisher by their attorney aforesaid prayed that a rule of Court be made for the aforesaid Philemon Downes & wife administratrix as aforesaid, to file their plea and answer to the Declaration aforesaid of them the aforesaid Thomas Fisher and Samuel Fisher at the next April Term, and it was granted unto them: 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 further continued until the second Tuesday of April next, following —

And now here at this day to wit, the said second Tuesday of April Anno Domini one thousand seven hundred and eighty seven, here come again the parties aforesaid by their Attorneys aforesaid, and the said Philemon Downes and Elizabeth his wife, by their Attorney aforesaid, defendeth the force and injury when and so forth: and say that they cannot gainsay the action aforesaid of the aforesaid Thomas Fisher and Samuel Fisher, so as aforesaid, against them brought, nor but that they owe to the aforesaid Thomas Fisher and Samuel Fisher the aforesaid sum of one thousand, four hundred and ninety two pounds current money of Pennsylvania, of the value of the same sum current money of Maryland, in manner and form aforesaid, so as the aforesaid Thomas Fisher and Samuel Fisher above against them have complained: Therefore it is considered by the Court here, that the said Thomas Fisher and Samuel Fisher do recover against the said Philemon Downes and Elizabeth his wife, the Debt aforesaid, in form aforesaid, acknowledged: As also the quantity of six hundred and eight pounds of Tobacco, as well for his Costs and Charges by him about his suit in this behalf expended unto the same Thomas Fisher and Samuel Fisher by the Court here with their assent adjudged, and so forth: To be levied of the Goods and Chattels which were of the said John Tillotson, in the hands of the said

/Philemon/