order of the Court here thereon was further continued until the second Tuesday in September then next following.

At which said second Tuesday of September, seventeen hundred and eighty ~~three~~, came again the parties aforesaid by their Attornies aforesaid: Thereupon further process of, and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attornies aforesaid and by order of the Court here thereon was further continued until the second Tuesday in April Ensuing.

At which said second Tuesday of April, seventeen hundred and eighty four, came again the parties aforesaid by their Attornies aforesaid: Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attornies aforesaid, and by order of the Court here thereon was further continued until the second Tuesday in September then next following. At which said second Tuesday of September, seventeen hundred and eighty four, came again the parties aforesaid by their Attornies aforesaid: And the said Thomas I. Sellers by his said Attorney filed his Declaration in the plea aforesaid, against the said Philemon Downes in manner and form following, to wit: Queen Annis, to wit: Philemon Downes late of Queen Annis County, alias nuncus called Philemon Downes of Queen Annis County Gentleman; was summoned to answer unto Thomas Johnings Sellers of a plea that he render unto him the sum of One thousand pounds sterling Money of Great Britain which to him he owes and unjustly detains, &c.

And whereupon the same Thomas I. Sellers who is an Infant under the age of twenty one years, to wit, of the age of years by James Sellers his Guardian by the Court here in specially admitted, saith that the same Philemon Downes on the twenty fourth day of August, in the year one thousand seven hundred seventy and five, at Queen Annis County aforesaid by his certain writing obligatory which the same Thomas Johnings Sellers here into Court doth bring whose date is the same day and year last aforesaid, granted and acknowledged himself to be held and firmly bound unto the same Thomas Johnings Sellers in the full and just sum of one thousand pounds sterling money of Great Britain of the value of sixteen hundred and sixty six pounds thirteen shillings and four pence current money

of Maryland, to be paid to him the same Thomas Johnings Sellers when afterwards he the same Philemon Downes should be thereunto required, and the same Thomas Johnings Sellers in fact saith and doth aver that the aforesaid sum of one thousand pounds sterling, was, at the time of the sealing and delivering the writing obligatory aforesaid, and ever since hath been, and still is of the value of One thousand six hundred and sixty six pounds, thirteen shillings and four pence current money of Maryland, tamen, at Queen Annis County aforesaid, of which the same Philemon Downes there and then had notice. Nevertheless the same Philemon Downes tho' hereto often required the sum of Money aforesaid, of the value aforesaid or any part thereof unto the same Thomas Johnings Sellers hath not yet rendered or paid, but the same to render or pay hitherto altogether hath refused and still doth refuse to the damage of the same Thomas Johnings Sellers Two thousand pounds Current Money of Maryland, which upon his oath he brings suit, &c. — James Sellers Guardian for Pltff. Replevin. I. Doc. Rich. Roe.

The writing obligatory whereof mention is made in the Declaration aforesaid ensues in the words and figures following, to wit: Know all men by these presents, that we Philemon Downes, Thomas Ringgold and John Hen of Queen Annis County Gentlemen are held and firmly bound unto Thomas Johnings Sellers orphan, son of Jacob Sellers; in the sum of One thousand pounds sterling money of Great Britain to be paid to the said Orphan Exors, Admors or Assigns; to the which payment whereof well and truly to be made, we bind ourselves and every of us, our and every of our Heirs, Exors & Admors in and for the whole jointly and severally, firmly by these presents, sealed with our seals and Dated this 24th Day of August in the year Seventeen hundred and Seventy five.

The Condition of the above Obligation is such, that if the above bound Philemon Downes do and shall so far forth as by law he might solem thereunto called according to the Rules and directions of the Act of Assembly of Maryland for the better Administration of Justice in Testamentary affairs, granting administrations & so forth prescribed; secure and deliver to the aft Orphan or future Guardian the portion of the Estate of the Estate of the aft Deceased Jacob Sellers which belongs to the said Orphan and do and shall in all things observe perform and Comply with the directions of the said Act of Assembly so far forth as respecting the Estate & Interest of the said Orphan by Law he might: Then the above obligation to be void or else to be and remain in full force & virtue in Law.

Sealed and delivered in presence of R. Tilghman. } Philip. Downes (Seal) Thos. Ringgold (Seal) John Hen (Seal)

A true Copy Test C. Downes Clk.