Court and prayed leave to imparl therein until the second Tuesday in April then next following. And it was granted unto him; the same day was given unto the said William Tharpe thereof. At which said second Tuesday in April in the year seventeen hundred and eighty seven here came again as well the said William Tharpe as the said Joseph Richards by their Attornies aforesaid; and thereupon further process of and upon the Premises aforesaid between the Parties aforesaid by Consent of the Parties and their Attornies aforesaid and by order of the Court here thereon was continued until the second Tuesday in September then next. At which said second Tuesday of September here came again the Parties aforesaid by their Attornies aforesaid: And the said William Tharpe by his Attorney aforesaid, affiled his Declaration in the Plea aforesaid against the said Joseph Richards, which issues in the following words, to wit:

Worcester County Sct. Joseph Richards late of Worcester County Planter was summoned to answer unto William Tharpe of a Plea that he render to him the sum of two hundred and twenty pounds ten shillings and six pence Specie current money of Maryland which to him he owes and unjustly detains &c. &c.

And Whereupon the said William by William Hayward his Attorney saith that Whereas the said Joseph on the twenty second day of May in the year of our Lord one thousand seven hundred and eighty four at Worcester County afd by his certain Bill Obligatory which the said William Tharpe with the seal of the said Joseph sealed here into Court doth bring the date whereof is the same day and year aforesaid did promise to pay or cause to be paid to the said William Tharpe by the name and description of William Tharpe of the City of Philadelphia the said sum of two hundred and twenty pounds ten shillings and six pence current money of Maryland in Specie with legal Interest for Value received whenever the said Joseph should be thereto afterwards requested to the Tru payment whereof the said Joseph did then and there Bind himself firmly by the said Bill Nevertheless the said Joseph tho' often requested the aforesaid sum of money unto the said William Tharpe hath not paid or him for the same in any sort Contented but the same to him to pay hitherto hath refused and still doth refuse

Whereupon the said William Tharpe saith he is injured and hath Damage to the Value of one hundred pounds Current money of Maryland and therefore he brings Suit &c. &c.

Wm Hayward for the Plff. John Doe Rd Roe, Pledges of Prosecuting.

The Bill Obligatory mentioned in the Declaration aforesaid ensues in the following words, to wit: I Promise to pay or cause to be paid unto William Tharpe of the City of Philadelphia the just sum of two hundred and twenty pounds ten shillings and six pence current money of Maryland in Specie with Legal Interest for Value Received as Witness my Hand and Seal this twenty second day of May seventeen hundred and eighty four

Joseph Richards (Seal)

Witness Samel Smyly

And the said Joseph Richards defendt the force and injury when &c. and said that the aforesaid William Tharpe his Action afd to have or maintain ought not because he said that he did well and truly pay unto the said William Tharpe the said sum of two hundred and twenty pounds ten shillings and six pence current money of Maryland in Specie with Legal Interest thereon in the Bill Obligatory mentioned according to the form and effect of the same Bill afd mentioned, and this he was ready to verify: Wherefore he prayed Judgment if the said William his Action afd against him to have or maintain ought. And the said William Tharpe said that he from having and maintaining his Action aforesaid against the said Joseph Richards ought not to be precluded, because he said that the said Joseph Richards did not well and truly pay unto him the said William Tharpe the said sum of two hundred and twenty pounds, ten shillings and six pence current money of Maryland in Specie with legal Interest thereon in the Bill obligatory mentioned according to the form and effect of the Bill afd mentioned in manner and form as the said Joseph Richards above in Pleading hath alledged, and this he prayed might be enquired of by the Country, and the said Joseph Richards in like manner &c. And thereupon this cause standing ready for Trial further process of and upon the Premises afd between the Parties afd by consent of the Parties and their Attornies aforesaid and by order of the Court here thereon was continued until the