and still doth refuse, wherefore he says he is the worse, and hath Damage to the value of five pounds Current Money aforesaid and therefore he brings Suit and so forth. And brings here into Court the writing obligatory aforesaid: sealed with the Seal of the said John Nicholson which the Debt aforesaid, in form aforesaid testifieth, the date whereof is the Day and year aforesaid and so forth —

Pen: Lethbury for the Plaintiff. Pledges and so forth, John Doe and Richard Roe

The writing Obligatory, aforesaid issues as follows, to wit —

"Know all men by these presents that I John Nicholson of Queen Anns County in the State of Maryland am held and firmly bound unto Ezekiel Forman in the State of Pensylvania in the full and just sum of two hundred pounds Current Money of Maryland, to be paid to the said Ezekiel Forman his certain Attorney Executors Administrators or Assigns. To which payment well and truly to be made and done I bind myself my Heirs Executors and Administrators firmly by these presents sealed with my seal and dated this eighth Day of April in the year Seventeen hundred & eighty five 1785. —

The condition of the above obligation is such that if the above bound John Nicholson, his Heirs Executors or Administrators, do and shall well and truly pay or cause to be paid unto the above named Ezekiel Forman his Executors Administrators or Assigns the full & just sum of One hundred pounds Current Money aforesd. with Lawful Interest for the same on or before the first day of January in the year Seventeen hundred & eighty six next ensuing the date of the above written obligation, then this Obligation shall be void & of none effect or else shall be and remain in full force & virtue. — John Nicholson (Seal)

Sealed & Delivered in the presents of Joseph Forman

A copy of the aforegoing Declaration and Bond was sent with the Writ aforesaid

At which said Second Tuesday in April, in the year Seventeen hundred and eighty eight, being the day of the return of the aforegoing Writ, here came the said Ezekiel Forman by his Attorney aforesaid, and the Sheriff of Kent County aforesaid likewise came and made return of the same Writ to the Court here thereon endorsed, to wit. "Cepi Geo: Ranson Shff." And the said John Nicholson by John Scott Junior his Attorney came here into Court, and thereupon with consent of the said Ezekiel Forman, the said John Nicholson by his said Attorney filed in Court here the following bail piece, viz.

Ezekiel Forman Pltff. } Dr. You Thomas Nicholson and Edward Lowell do
John Nicholson Defendt. } Jointly, and severally acknowledge yourselves
Special Bail, for the said John Nicholson at

the Suit of the said Ezekiel Forman in an Action of Debt brought by the said Ezekiel Forman against the said John Nicholson in the General Court. They acknowledge themselves to be therewith content, this 21st day of April 1788.

To the Honorable the Judges of the Genl Court } before John Scott —

I do hereby appoint John Scott Junr. Esqr. my Attorney to appear for me in the above Action — Jno Nicholson —

And the said John Nicholson by his Attorney aforesaid defended the wrong and injury, when and so forth, and prayed the liberty of imparling therein until the second Tuesday of September Term then next; and it was granted unto him the same day was given to the said Ezekiel Forman then and so forth —

At which said second Tuesday in September in the year seventeen hundred and eighty eight, here came again the parties aforesaid by their Attorneys aforesaid and the said Ezekiel Forman by his said Attorney prayed that a rule of Court might be made to cause the said John Nicholson, to file his plea and answer to the Declaration of him the said Ezekiel Forman, by the second Tuesday of April then next: whereupon it was ruled by the Court here that the said John Nicholson should file his plea and answer to the Declaration aforesaid by the time aforesaid or that Judgment should be rendered against him by default, the same day was given to the said Ezekiah Forman then and so forth —

And now here at this day, to wit; The said second Tuesday of April in the year Seventeen hundred and eighty nine, comes the said Ezekiel Forman by his Attorney aforesaid, and the said John Nicholson though solemnly called cometh not, nor saith anything in Bar or Preclusion of the Action aforesaid of him the said Ezekiel Forman but therein doth make default whereby the said Ezekiel Forman remains against the said John Nicholson therein undefended: Therefore It is considered by the Court here that the said Ezekiel Forman do recover against the said John Nicholson the Debt aforesaid undefended as aforesaid; as also the quantity of Five hundred and eighty two pounds and two fifths of a pound of Tobacco, as well for his Damages which he hath sustained by occasion of the detention of that debt, as for his Costs and Charges by him about his Suit in this behalf expended: Unto the said Ezekiel Forman, by the Court here with his Assent adjudged and so forth. And the said John Nicholson in mercy and so forth —

James Earle Clk.

Judgment was rendered in this Action on the seventeenth day of April in the year Seventeen hundred and eighty nine, for penalty and Costs: To be released on the payment of Principal Interest and Costs. Payments if any to be released. Stay Execution till Sept. Term next.