by their Attorneys afs.^d, and the said James Hutchings by his Attorney afs.^d affixed his Declaration in the plea afs.^d, against the said Lambert Beard in manner and form following to wit; Cecil County to wit; Lambert Beard late of Cecil County Farmer was summoned to answer unto James Hutchings of a plea that he render unto him one thousand pounds current money of Maryland, which to him he owes and unjustly detains &c. And whereupon the said James Hutchings by William Tilghman his Attorney saith that whereas the said Lambert Beard on the fourth day of July in the year of our Lord one thousand seven hundred and eighty five, at the County afs.^d, by his certain Writing Obligatory with his Seal sealed, and to the Court here shewn, the date whereof is the day and year afs.^d acknowledged himself to be held and firmly bound unto the said James in the afs.^d sum of one thousand pounds, current money of Maryland, to be paid to the said James when thereto afterwards he should be required: Yet the said Lambert altho' often required, the afs.^d sum of one thousand pounds to the said James hath not paid, but the same to the said James to pay hath hitherto altogether refused and still doth refuse to the damage of the said James one thousand pounds current money of Maryland and thereupon he brings Suit &c. to.^d Tilghman for the Plff. Pledges &c. John Doe Richard Roe. The writing Obligatory whereof mention is made in the Declaration afs.^d follows in the words and figures following to wit; Know all Men by these presents that we Robert Hodgson Merch.^t and Lambert Beard Farmer, both of Cecil County, are held and firmly bound unto James Hutchings Merch.^t Baltimore, in the sum of one thousand pounds Specie, to be paid unto the said James Hutchings, his certain Attorney, Executors, Administrators or Assigns: To which payment well and truly to be made we bind ourselves our and every of our Heirs, Executors and Administrators, firmly by these presents. Sealed with our seal and dated the fourth day of July, in the Year of our Lord one thousand seven hundred and eighty five — The condition of this Obligation is such, that if the above bound Robert Hodgson and Lambert Beard or either of them, their Heirs, Executors, Administrators, or any of them, shall and do well and truly pay, or cause to be paid, unto the above named James Hutchings, his certain Attorney, Executors, Administrators or

Assigns, the just sum of five hundred pounds Specie, two hundred and fifty of which sum on the first day of January next ensuing; the remaining two hundred and fifty pounds on the first day of November one thousand seven hundred and eighty six without any Fraud or further delay, then the above obligation to be void, or else to be and remain in full force and virtue

Sealed and delivered in the presence of Danl Chas. Heath — Robert Hodgson (Seal) Lambert Beard (Seal)

And the said James Hutchings by his Attorney afs.^d prayed that the said Lambert Beard to his Declaration afs.^d might answer: whereupon it was ordered by the Court, at the prayer of the said James Hutchings, that the said Lambert Beard should answer to the Declaration afs.^d of the said James Hutchings by the second Tuesday in September then next following: And it was said to the said Lambert Beard that if he should not answer to the Declaration afs.^d by the time afs.^d Judgment should be rendered against him by default; the same day was given to the said James Hutchings there &c. At which day, to wit, the second Tuesday in September, here came the parties afs.^d, by their Attorneys afs.^d, and the said Lambert Beard by his Attorney afs.^d defended the force and injury when and so forth, and said that the afs.^d James Hutchings his Action afs.^d against him to have or maintain ought not, because, he said that at the day mentioned in the said Condition he did well and truly pay and discharge unto the said James Hutchings the said sum of five hundred pounds Specie in the Condition of the Writing Obligatory mentioned, according to the form and effect of the same Condition mentioned, and this he was ready to verify: wherefore he prayed Judgment if the said James Hutchings his Action afs.^d against him to have or maintain ought &c. And the said James Hutchings by his Attorney afs.^d saith that he from having and maintaining his Action afs.^d against the said Lambert Beard ought not to be precluded, because he said that the said Lambert Beard at the time mentioned in the said Condition did not well and truly pay and discharge unto him the same James Hutchings the said sum of five hundred pounds Specie, in the Condition of the Writing Obligatory afs.^d mentioned, according to the form and effect of the Condition afs.^d, in manner and form as the said Lambert Beard in pleading above alledged, and this he prayed might be enquired of by the Country; and the said Lambert Beard in like manner &c. Therefore let