and James Loutit still do refuse and unjustly detain to the damage of him the said William Neilson five hundred pounds current money aforesaid and therefore he brings suit &c. and brings here into Court the writing obligatory aforesaid sealed with the seal of the aforesaid John Dockrey Thompson which the Debt aforesaid in form aforesaid witnesseth whose date is the day and year aforesaid.

Mr. Barnell pro Plff. pledges &c. John Doe and Richard Roe.

Oyer of the Bond and Condition is as follows. Maryland Cecil County Sc.

Know all men by these Presents that I John Dockrey Thompson of the County and Province aforesaid, am held and firmly bound unto William Neilson Merchant in the aforesaid County in the just and full sum of three hundred and forty six pounds six shillings and five pence Specie, reating half Johannes at three pounds each and Spanish Milled Dollars at seven shillings and six pence each, to be paid to the said William Neilson, his certain Attorney, Heirs, Executors, Administrators or Assigns on or before the tenth day of February next ensuing the date hereof: for which payment well and truly to be made and done, I bind myself, my Heirs, Execs and Admrs firmly by these presents, sealed with my seal and dated this twenty first day of January in the year of our Lord one thousand seven hundred and eighty six. 1786. The Condition of the above obligation is such that if the above bound John Dockrey Thompson, his Heirs, Execs or Admrs do and shall well and truly pay or cause to be paid to the said William Neilson, his certain Attorney, Heirs, Exors, Admrs or Assigns the full and just sum of one hundred and seventy three pounds three shillings and two pence half penny in like money aforesaid, bearing Interest from the date hereof and that without fraud or further delay, then the above obligation to be void and of none effect or else to stand and remain in full force and virtue in Law.

Signed, sealed & delivered in the presence of Peregrine Rowland } Jn.º D. Thompson (seal)

And the said William Neilson by his Attorney aforesaid suggested to the Court here that the said James Loutit was dead, and that he died since the last Continuance, to wit, at the County aforesaid; and the said William Neilson

by his Attorney aforesaid prayed that a rule of Court be made for the said William Matthews the surviving Exor to file his plea and answer to the Declaration aforesaid of him the said William Neilson at the next September Term, and it was granted unto him. 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 September then next following. At which day, to wit, the second Tuesday of September seventeen hundred and eighty nine, came again the parties aforesaid by their Attorneys aforesaid, and it was said to the said William Matthews that he should answer to the Declaration of the said William Neilson by the second Tuesday of April then next following; and it was said to the said William Matthews that if he should not answer to the Declaration aforesaid by the day aforesaid, Judgment should be rendered against him by default; the same day was given to the said William Neilson there and so forth. And now here at this day, to wit, the second Tuesday of April one thousand seven hundred and ninety come again the parties aforesaid by their Attorneys aforesaid, and the said William Matthews by his Attorney aforesaid defends the force and injury when and so forth, and saith that he cannot gainsay the Action aforesaid of the said William Neilson nor can he deny but that the writing obligatory aforesaid was the Deed of him the said John Dockrey Thompson the deceased, nor but that he owes unto the said William Neilson the said sum of three hundred and forty six pounds six shillings and five pence Specie, in manner and form as the said William Neilson above against him hath complained; therefore it is considered by the Court here, that the William Neilson do recover against the said William Matthews his Debt aforesaid in form aforesaid acknowledged; as also the Quantity of four hundred and sixty seven and one fifth pounds 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 same William Neilson by the Court here with his assent adjudged &c. And the said William Matthews in mercy &c. James Earle Esqr.

Judgment was confessed in this Action on the twenty ninth day of April seventeen hundred and ninety, with a Stay of Execution till September Term following. Penalty to be extended on payment of Principal, Interest and Costs.