whom the said Thomas hath survived, on the sixth day of April Anno Domini one thousand seven hundred and eighty seven at the County aforesaid, by their certain writing obligatory, sealed with the seals of the said Thomas and William, and here into Court now brought, the date whereof is the same day and year aforesaid, acknowledged themselves to be held and firmly bound unto the same John in the sum of five hundred and sixty pounds current money of Maryland to be paid to the said John whenever after they should be thereto required. Nevertheless the said Thomas and the said William Emmalls in his lifetime (altho often required) have not, nor has either of them paid the aforesaid sum of money, to the said John, but have refused to pay the same; and the said Thomas since the death of the said William whom he hath survived, hitherto altogether hath refused and still doth refuse to pay the same, to the same John; wherefore the same John saith that he is injured and has sustained Damage to the value of twelve hundred pounds current money of Maryland, and thereupon he brings this suit &c.

Gertaunus Scott for the Plff. — John Doe and Richard Roe. Pledges &c.

The writing obligatory whereof mention is made in the Declaration aforesaid omitted in the words following, to wit: Know all men by these presents that we Thomas Hicks and William Hicks of Dorchester County Gentlemen are held and firmly bound unto John Eccleston, Junior of said County in the full and just sum of five hundred and sixty pounds Specie money of Maryland to be paid to him, his certain Attorney, Hers, Exors, Admrs or Assigns; for the full performance of which, we do hereby oblige ourselves; sealed with our seals this sixth day of April Anno Domini one thousand seven hundred and eighty seven. The Condition of the above obligation is such that if the above bound Thomas Hicks, his Heirs, Exors or Admrs do and shall well and truly pay or cause to be paid unto John Eccleston before mentioned, his Heirs, Exors, Admrs or Assigns the full sum of two hundred and eighty pounds Specie money of Maryland (with legal Interest paid annually) on or before the ninth day April 1790, then this obligation to be void and of none effect or else to remain in full force and virtue in Law.

Signed sealed & delivered in the presence of Lewin Ball, James Smith — Thos. Hicks (seal) — Wm. E. Hicks (seal)

N.B. His Heirs, Exors, Admrs or Assigns was interlined before signing.

On the back of the original Bond was the following endorsement, to wit;

Interest received to the sixth of April one thousand seven hundred and eighty nine.

John Eccleston

And the said Thomas defends the force and injury when and wherefore, and saith that he cannot gainsay the Action aforesaid of the said John, nor can he deny but that the writing obligatory aforesaid, is the Deed of him the said Thomas, nor but that he owes unto the said John, the said sum of five hundred and sixty pounds current money in manner and form as the said John above against him hath complained; Therefore it is considered by the Court here, that the said John do recover against the said Thomas his Debt aforesaid, in form aforesaid acknowledged: as also the Quantity of seven hundred and thirty five 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 John by the Court here with his Assent adjudged pltf. and the said Thomas in mercy &c.

James Earle Clk.

Judgment was confessed in this Action on the twenty seventh day of April seventeen hundred and ninety, for Penalty and Costs; Penalty to be released on payment of Principal, Interest and Costs; Stay of Execution till April Term one thousand seven hundred and ninety two.

Mary Kennedy and David Kennedy Exors of James — vs — Benjamin Benny.

The State of Maryland. Command was given to the Sheriff of Talbot County, that he should take Benjamin Benny late of Talbot County planter if he should be found in his Bailiwick, and him safe keep, so that he might have his body before the Judges of the next General Court, to be held for the Eastern Shore of this State, at Easton in Talbot County, at the Court house in the same County, the second Tuesday of April next, to satisfy unto Mary Kennedy and David Kennedy Exors of James Kennedy as well a certain Debt of three hundred and sixty eight pounds current money which the same Mary and David Kennedy Exors of James Kennedy recovered in a General Court held for the Eastern Shore of the same State, on the second Tuesday of April Anno Domini seventeen hundred and eighty nine before the Judges of the same Court, against the said Benjamin Benny, as also the sum eight hundred and thirty seven and four