his Attorney came here into Court, And thereupon the said Thomas Hicks at the prayer of the said Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith was refused to give special bail in the Plea aforesaid — Whereupon Peter Roe of Dorchester County came here into Court before the Justices aforesaid in his proper person and became Pledge and mainpriser for the aforesaid Thomas Hicks that if it shall happen that Judgment by the Court here for the aforesaid Thoroughgood Smith, Thomas Bailey, and Isaac Smith in the Plea aforesaid, against the aforesaid Thomas Hicks should be rendered then the same Peter Roe granted that as well the Debt aforesaid, as all such Damages, Costs and Charges which unto the aforesaid Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith in their suit should by the Court be adjudged of his Lands and Chattels should be made, and to the use of the aforesaid Thoroughgood Smith, Thomas Bailey and Isaac Smith levied, if it should happen that the said Thomas Hicks the said Debt, Damages, Costs and Charges, unto the aforesaid Thoroughgood Smith, Thomas Bailey and Isaac Smith should not pay, or his Body in Execution of such Judgment, to the Public Prison of Dorchester County aforesaid, by that occasion should not render — And the said Thoroughgood Smith, Thomas Bailey and Isaac Smith by their Attorney aforesaid, exhibited their Declaration in the Plea aforesaid against the said Thomas Hicks in manner and form following, to wit. — Dorchester County, to wit. Thomas Hicks late of Dorchester County Merchant was summoned to answer unto Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. of a plea that he render unto them the sum of six hundred and twenty eight Pounds Current money of Maryland which to them he owes and from them unjustly detains &c. — And whereupon the said Thoroughgood Smith, Thomas Bailey Junior and Isaac Smith Junr. by William Goldsborough their Attorney, say that the aforesaid Thomas Hicks of the twenty fifth day of March seventeen hundred and ninety five at the County aforesaid by his certain Bill Obligatory sealed with the Seal of the aforesaid Thomas Hicks and to the Court now here shewn the date whereof is the same day and year last aforesaid acknowledged himself to be indebted unto the said Thoroughgood Smith, Thomas Bailey Junr. & Isaac Smith Junr. in the full and just sum of three hundred and fourteen pounds Current money of Maryland to be paid to the said Thoroughgood Smith, Thomas Bailey Junr & Isaac Smith Junr. when thereto afterwards he should be required, for the true, full and faithful payment whereof the aforesaid Thomas Hicks bound himself his Heirs, Executors and Administrators, in the aforesaid penal sum of six hundred and twenty eight Pounds Current money aforesaid, firmly by the said Bill, and the aforesaid Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. in fact say, that the aforesaid Thomas Hicks did not pay unto the aforesaid Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. or either of them, the aforesaid sum of three hundred and fourteen pounds Current money aforesaid, or any part thereof according to the tenor and effect of the said Bill Obligatory (although often required to pay the same) whereby action hath accrued to the said Thoroughgood Smith, Thomas Bailey Junior and Isaac Smith Junr. to demand and have of him the said Thomas Hicks the aforesaid penal sum of six hundred and twenty eight pounds Current money aforesaid — Nevertheless, the aforesaid Thomas Hicks

(altho' often required) the aforesaid penal sum of six hundred and twenty eight pounds Current money, or any part thereof, to the said Thoroughgood Smith Thomas Bailey Jr. and Isaac Smith Junr. yet hath not (nor) but the same to pay hitherto altogether hath refused and yet doth refuse to pay to the Damage of the said Thoroughgood Smith Thomas Bailey Junr. and Isaac Smith Junr. one thousand pounds Current money of Maryland and therefore they bring suit &c. — Wm. Goldsborough — Pledges &c. John Roe, Richard Roe —

The Bill Obligatory whereof mention is made in the Declaration aforesaid ensues in the following, to wit. — Thomas Hicks of Cambridge, Dorchester County and State of Maryland Merchant, do promise for myself my Heirs, Executors and Administrators, to pay or cause to be paid unto Thoroughgood Smith Thomas Bailey Junr. and Isaac Smith Junr. their Heirs, Executors, Administrators or Assigns the just and full sum of three hundred and fourteen pounds Gold or Silver, at its present passing value, on demand, with legal Interest for the same from the date hereof for value received, to which payment well and truly to be made, I bind myself my Heirs, Executors and Administrators in the penal sum of six hundred and twenty eight pounds money as aforesaid. — In Witness whereof I have hereto set my hand and Seal this twenty fifth day of March one thousand seven hundred and ninety five. —

Sealed and Delivered in presence of
Stephen Stephens

Thos. Hicks. (Seal)

And the said Thomas Hicks by his Attorney aforesaid, defended the wrong and injury when &c. and prayed the liberty of imparling thereunto here until the fourth Monday in October then next following, which was granted unto him, the same day was given to the said Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. there &c. — At which day, to wit, the said fourth Monday in October here came again as well the said Thoroughgood Smith Thomas Bailey and Isaac Smith by their Attorney aforesaid, as the said Thomas Hicks by his Attorney aforesaid, and the said Thomas Hicks by his said Attorney prayed the further liberty of imparling thereof until the third Monday in March then next following, and it was granted unto him, the same day was given to the said Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. there &c. — And now here, at this day, to wit, the fourth Monday in March seventeen hundred and ninety seven, come into Court as well the said Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. as the said Thomas Hicks by their Attorneys aforesaid, and the aforesaid Thomas Hicks by his Attorney aforesaid, applied his plea against the said Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junior in manner and following, to wit. —

And the said Thomas Hicks by William Pond Martin Esquire his Attorney, comes and defends the force and injury when &c. and prays an hearing of the Bill Obligatory aforesaid, and it is read to him in these words following to wit. — Know all Men by these presents that I Thomas Hicks of Cambridge Dorchester County and State of Maryland Merchant do promise for myself my Heirs, Executors and Administrators, to pay or cause to be paid unto Thoroughgood Smith, Thomas Bailey Junr. and Isaac Smith Junr. their Heirs, Executors, Administrators or Assigns, the just and full sum of three hundred and fourteen pounds Gold or Silver, at its present passing value, on demand, with legal Interest for the same from the date hereof for value received — To which payment well and truly to be made, I bind myself my Heirs, Executors and Administrators in the penal sum of six hundred and twenty eight pounds money as aforesaid. — In Witness whereof I have hereto set my hand and seal this twenty fifth