seventy pounds, six shillings Current money, in manner and form as they the said Thomas P. Wharton and John Wharton above against him complain. — Therefore it is considered by the Court here that the said Thomas P. Wharton and John Wharton, recover against the said Bartholomew Etherington as well the said sum of four hundred and seventy pounds, six shillings Current money their Debt aforesaid in form aforesaid acknowledged, as the quantity of seven hundred and seventy five pounds of Tobacco for their Damages which they have sustained as well by occasion of the detention of that Debt as for their Costs and Charges by them about their suit in that behalf laid out and expended; adjudged unto the said Thomas P. Wharton & John Wharton by the Court here with their assent, and the said Bartholomew Etherington in mercy &c —

Test, James Earle Junr. Clerk —

Memorandum, Judgment was confessed in this action, on the 15th day of September 1798 for Penalty and Costs. — Sohio released on payment of the principle, Interest and Costs. — Payments if any to be allowed — Stay of Execution until next Term —

Thomas P. Wharton and John Wharton against James Porter Admor of William Porter

Be it remembered that on the twenty seventh day of April in the year of our Lord one thousand seven hundred and ninety seven, Command was given to the Sheriff of Cecil County, to take James Porter late of Cecil County, Administrator of all and singular the Goods and Chattels, Rights and Credits, which were of William Porter late of Cecil County, deceased, if he should be found in his Bailiwick and him safe keep so that he might have his body before the Judges of our General Court, to be held at Easton in Talbot County the second Tuesday of September then next, to answer unto Thomas P. Wharton and John Wharton Junr. of a plea that he render unto them, the just and just sum of four hundred and seventy pounds, six shillings Current money, which from them he unjustly detains and so forth — and that thereof he the said Sheriff should not fail at his peril, and should have then and there that Writ &c — And the said Thomas P. Wharton and John Wharton, by James Scott Esquire their Attorney, on the day of prosecuting and suing forth the said Writ, declared ~~declared~~ in our said General Court against the same James Porter Administrator of William as aforesaid, in the plea aforesaid, in manner and form following, to wit — Eastern Shore of Maryland, Cecil County, to wit; James Porter late of Cecil County Administrator of all and singular the Goods and Chattels, Rights and Credits which were of William Porter late of Cecil County, deceased, was summoned to answer unto Thomas P. Wharton and John Wharton Junr. of a plea that he render unto them the just and just sum of four hundred and seventy pounds, six shillings Current money, which from them

he unjustly detains and so forth — And whereupon the said Thomas P. Wharton and John Wharton the younger by James Scott their Attorney, say, that whereas the said William Porter in his lifetime, to wit, on the second day of April in the year of our Lord one thousand seven hundred and ninety five, at Cecil County aforesaid, by his certain writing Obligatory with his Seal sealed and to the Court here shewn, the date whereof is the day and year aforesaid acknowledged himself to be held and firmly bound unto the said Thomas and John in the aforesaid sum of four hundred and seventy four pounds six shillings Current money, to the said to the said Thomas and John when he should be thereto afterwards requested: yet the said William in his lifetime, and the said James Porter his Administrator after the death of the said William although often requested, the aforesaid sum of four hundred and seventy pounds six shillings Current money to the said Thomas and John or to either of them, yet have not, nor hath either of them paid, but the said William in his lifetime, and the said James, his Administrator since the death of the said William entirely refuse to pay the same, to the said Thomas and John, or to either of them, and the said James doth still refuse to pay them or either of them the same, and unjustly detaineth, to the Damage of the said Thomas and John one thousand pounds Current money of Maryland, and therefore they bring suit &c —

James Scott for Plffs. Pledges &c — John Doe and Richard Roe —

The writing Obligatory in the Declaration aforesaid mentioned, ensues as follows, to wit —

Know all men by these presents, that we William Porter, and Bartholomew Etherington both of Cecil County and State of Maryland, are held and firmly bound unto Thomas P. Wharton and John Wharton Junr. both of the City of Philadelphia in the just and just sum of four hundred and seventy pounds six shillings Current money, to be paid to the said Thomas P. Wharton and John Wharton Junr. or to their certain Attorney, their Heirs, Exors, Admors, or Assigns, To the which payment well and truly to be made and done we bind ourselves, our Heirs, Exors and Admors, Jointly and Severally, firmly by these presents: Sealed with our Seals, and dated this second Day of April one thousand seven hundred and ninety five —

The Condition of the above Obligation is such that if the above bounden William Porter and Bartholomew Etherington, their Heirs, Exors or Admors or either of them, do well and truly pay, or cause to be paid to the above said Thomas P. Wharton and John Wharton Junr. or to their certain Attorney, their Heirs, Executors Administrators or Assigns, or to either of them, the just and full sum of two hundred and thirty five pounds, three shillings Current money, at or before the second day of April one thousand seven hundred and ninety six with legal Interest thereon from the date hereof without any fraud or further delay — then the above Obligation to be void, else to remain in full force and virtue in law — Signed, Sealed and Delivered in the presence of, Ebenezer Saunders — William Porter (Seal) Bartw. Etherington (Seal)

Upon which said Declaration and Bond were made and sent, to the Sheriff of the County