the which Payment well and truly to be made and done We bind ourselves our Heirs Executors and Administrators and every of them Jointly and Severally for the whole and in the whole firmly by these Presents Sealed with our Seals and Dated this Eighth day of June Anno Domini One thousand Seven hundred and fifty three —

He also prays an Hearing of the Condition of the same Writing Obligatory and he hath it in the following words —

The Condition of the above Obligation is such that if the above bound Isaac Risteau and John Wilmott do and shall well and truly pay or cause to be paid unto the said Stephen Bordley his certain Attorney Executors Administrators or Assigns the just and full Sum of Sixty three and four pence Sterling at or upon the first day of September next ensuing the Date hereof then the above Obligation to be void else to remain in full force and Virtue in Law — Which being read and heard the said John Wilmott by his Attorney aforesaid prays Leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Eleventh day of April Anno Dom. 1758 Comes again the said parties Plaintiff and Defendant by his Attorney aforesaid and the said Defendant by his said Attorney prays further Leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Twelfth day of September Anno Dom. 1758 comes again the said parties Plaintiff and Defendant by his Attorney aforesaid and the said Defendant by his said Attorney prays further Leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Tenth day of April Anno Dom. 1759 Comes again as well Stephen Bordley in his proper Person as the said John Wilmott in Custody as aforesaid by his Attorney aforesaid and the said John by his said Attorney as before defends the force and Injury when &c. and Saith that he with the Debt aforesaid by Virtue of the Writing aforesaid to be burthened Ought not Because he saith that that Writing is not his Deed and of this he puts himself upon the Country &c. —

And the aforesaid John by Leave of the Court here and according to the form of the Statute in such Case made and Provided further by his said Attorney defends the force and Injury when &c. and Saith that the aforesaid Stephen his Action aforesaid against him the said John to have or Maintain Ought not Because he saith that after the Making the Writing aforesaid and before the issuing the Original Writ in the Action aforesaid he the said John paid to the said Stephen the aforesaid Sum of Sixty three Pounds and four pence Sterling in the Condition aforesaid Mentioned with Legal Interest for the Same according to the form and Effect thereof And this he is ready to verify wherefore he prays Judgment if the aforesaid Stephen his Action aforesaid against him the said John to have or Maintain ought &c. —

As to the first Plea and the aforesaid Stephen in like manner and so forth — And the aforesaid Stephen as to the Second plea aforesaid of the aforesaid John above pleaded saith that he by any thing in the Same Plea alleged from having and maintaining his Action aforesaid to be precluded Ought not because he saith that he the said John hath not hath not paid to him the said Stephen the aforesaid Sum of Sixty three Pounds and four Pence Sterling in the Condition aforesaid Mentioned with Legal Interest for the Same according to the form and Effect of the Condition aforesaid as the aforesaid John hath above by pleading alledged and this he prays may be enquired of by the Country and so forth and the aforesaid John in like manner and so forth —

Nevertheless the said John Wilmott by his Attorney aforesaid Relinquishing the Averment above by him pretended says that he cannot gainsay the Action aforesaid of the aforesaid Stephen Bordley against him (brought)

brought nor but that the Writing aforesaid is the Deed of him the said John Wilmott nor but that he Owes to the said Stephen Bordley the aforesaid Sum of One hundred and twenty Six pounds and Eight pence Sterling Money in manner and form as the aforesaid Stephen Bordley above against him hath declared —

Therefore it is considered by the Justices here that the said Stephen Bordley recover against the said John Wilmott as well One hundred and twenty Six pounds and Eight pence Sterling his Debt aforesaid as also the Sum of Pounds of Tobacco by the Court here unto him on his Agent adjudged as well for his Damages Sustained by Means of detaining that Debt as for his Cost and Charges by him about his Suit in this behalf laid out and Expended and the said Defendant in Mercy &c. —

Memorandum the Plaintiff releases the Penalty on payment of Principal Interest and Cost and all payments

Test. Reverdy Ghiselin Clk

Sd. William Perkins
a
Ed. John Wilmott

Command was given to the Sheriff of Baltimore County that he should take John Wilmott late of Baltimore County planter otherwise called John Wilmott of Baltimore County of the Province aforesaid Planter if he should be found in his Bailiwick and him Should safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the Second Tuesday of April then next to Answer unto William Perkins of a plea that he render unto him the Sum of One hundred and forty three Pounds four Shillings and Eight pence Sterling good and Lawfull Money of Great Britain which to him he Owes and unjustly detains and so forth and that thereof he the said Sheriff should not fail &c. —

And the aforesaid William Perkins by Stephen Bordley his Attorney declared against the said John Wilmott in the Plea aforesaid as follows to wit —

Maryland ss. John Wilmott late of Baltimore County planter otherwise called John Wilmott of Balt. County of the Province aforesaid Planter was Summoned to Answer unto William Perkins of a plea that he render unto him the Sum of One hundred and forty three pounds four Shillings and Eight pence Sterling good and Lawful Money of Great Britain which to him he Owes and unjustly Detains and So forth —

And whereupon the said William by Stephen Bordley his Attorney aforesaid Saith that whereas the aforesaid John on the twenty third day of April in the Year of our Lord Seventeen hundred and fifty Seven at Baltimore County aforesaid by his certain Writing Obligatory acknowledged himself to be held and firmly bound unto him the said William in the aforesaid Sum of One hundred and forty three pounds four Shillings and Eight pence Sterling good and Lawful Money of Great Britain to be paid to him the said William when afterwards he should be thereunto required Nevertheless the aforesaid John (Altho often thereunto required) the aforesaid Sum of Money to him the said William hath not rendered or paid but the same to him hitherto to render or pay he hath altogether refused and still doth refuse wherefore he saith he is the Worse and hath Damage to the Value of ~~Sixty~~ pounds Sterling Money aforesaid And therefore he brings Suit and So forth And brings here into Court the Writing Obligatory aforesaid Sealed with the Seal of the aforesaid John which the Debt aforesaid in form aforesaid Witnesseth whose Date is the Day and Year aforesaid and so forth —

Pledges and So forth { John Doe & Richd. Roe