Annapolis the second tuesday of november next that the record and process aforesaid being inspected into we may further do therein for correcting that error which of right and according to the laws and customs of this state may be done. Witness the Honorable Alexander Contee Hanson challor this thirty first day of July in the year of our lord one thousand seven hundred and ninety eight.

Samuel Harvey Howard
Regr Cur Cur

(the Great Seal in wax affixed)

At which mentioned second tuesday of november being the thirteenth day of the same month in the year seventeen hundred and ninety eight, and the day of the return of the aforegoing writ the Honorable the Judges of the General Court to whom the said writ of error was made and directed in pursuance thereof and according to the form and effect of the act of assembly in such cases made and provided make return to the Judges of our Court here of the same writ with the following Record to wit

The State of Maryland Sc.

(Stamp) At a General Court of the Western Shore of the said State, one of the united states of America, begun and held at the City of Annapolis on the second tuesday of may being the eighth day of the same month, in the year of our lord one thousand seven hundred and ninety eight, and in the twenty second year of the Independence of the said United states of America.

Present

The Honorable Robert Goldsborough, Esquire chief Judge
Jeremiah Townley Chase and Gabriel Duvall } Esquires Judges

John Welch Esquire Sheriff — John Gwinn Clerk

In the record of proceedings of the same Court, among others is the following, to wit.

Daniel Carroll of Dudn. Against Thomas Johnson

Be it remembered, that heretofore, to wit, on the seventh day of December in the year of our lord one thousand seven hundred and ninety six, the said Daniel Carroll of Duddington by John Thomson Mason his attorney sued out of the General Court, the writ of the state of Maryland of Capias ad respondendum, directed to the Sheriff of Frederick County, in the words and figures following, to wit: The State of Maryland, sc. to the sheriff of Frederick County, greeting; we command you that you take Thomas Johnson late of Frederick County gentleman otherwise called Thomas Johnson of Frederick County if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court to be held at the City of Annapolis on the second tuesday of may next, to answer unto Daniel Carroll of Duddington of a plea, that he render unto him the full and just sum of four thousand pounds current money of Maryland which to him he owes and from him unjustly detains and so forth heavy fail not at your peril, and have you then and there this writ. Witness the

Honorable Robert Goldsborough Esquire chief Judge of our said Court, the 11th day of october anno domini 1796. Issued the 7th day of december 1796. (J. T. Mason) John Gwinn Clk

And the aforesaid Daniel Carroll of Duddington by his attorney aforesaid on the day of the issuing of the aforesaid writ filed in Court here, the following declaration and oyer of Bond, a copy whereof was made and sent with the said writ, to the Sheriff of the County aforesaid to wit: Western Shore State of Maryland, Frederick County, sc. Thomas Johnson late of Frederick County Gentleman otherwise called Thomas Johnson of Frederick County was summoned to answer unto Daniel Carroll of Duddington of a plea, that he render unto him the full and just sum of four thousand pounds current money of Maryland which to him he owes and from him unjustly detains and so forth; and whereupon the said Daniel Carroll by John Thomson Mason his attorney, says that whereas the aforesaid Thomas Johnson on the fifth day of June in the year one thousand seven hundred and ninety two at Frederick County aforesaid, by his certain writing obligatory, acknowledged himself to be held and firmly bound unto him the aforesaid Daniel Carroll of Duddington in the aforesaid sum of four thousand pounds current money to be paid to him the said Daniel Carroll when afterwards he should be thereunto required, nevertheless the aforesaid Thomas Johnson (although often thereunto required) the aforesaid sum of four thousand pounds current money to him the said Daniel Carroll has not rendered or paid, but the same to him hitherto to render or pay has altogether refused, and still does refuse, wherefore the said Daniel says he is the worse, and has damage to the value of five hundred pounds current money of Maryland, and therefore he brings suit, and so forth, and brings here into Court the writing obligatory aforesaid, sealed with the seal of the aforesaid Thomas Johnson which the debt aforesaid in form aforesaid, witnesseth, the date whereof is the day and year aforesaid (and) so forth. John T. Mason for the Plaintiff, pledges &c. John Doe and Richd Roe

And the aforesaid Thomas Johnson by his attorney, comes and defends the force and injury, when, and so forth, and prays an hearing of the writing obligatory aforesaid, and the Condition thereof, and he has them in the words, following, to wit

Know all Men by these presents that I Thomas Johnson of Frederick County am held and firmly bound unto Daniel Carroll of Duddington in the sum of four thousand pounds current money to be paid to the said Daniel Carroll his executors administrators or assigns. To which payment well and truly to be made and done, I bind myself my heirs executors and administrators firmly by these presents, sealed with my seal, and dated this fifth day of June, in the year of our lord one thousand seven hundred and ninety two.

The Condition of the above obligation is such that if the above bound Thomas Johnson his Executors or administrators do and shall well and truly pay or cause to be paid to the said Daniel Carroll his executors administrators or assigns the sum of two thousand pounds current money at or upon the fifth day of June 1796 with legal Interest on the same payable and to be paid on the fifth day of June yearly as the same grows due then the above obligation to be void else of full force.

Signed Sealed and delivered in the presence of } Jno M Gantt, Thos Cooke } Th. Johnson (seal)