certain writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid Charles in the aforesaid sum of four hundred ninety one pounds one shilling and six pence current money to be paid to him the said Charles when afterwards he should be thereunto required: nevertheless the aforesaid Overton although often thereunto required) the aforesaid sum of current money to him the said Charles hath not rendered or paid but the same sum of current money to him hitherto to render or pay he hath altogether refused, and still doth refuse: Wherefore the said Charles saith he is the worse, and hath damage to the value of four hundred pounds current money and therefore he brings suit, and so forth: and brings here into Court the writing obligatory aforesaid, sealed with the seal of the aforesaid Overton which the debt aforesaid in form aforesaid witnesseth, the date whereof is the day and year aforesaid and so forth.

pleages and so forth. John Doe & Richd. Roe Wm. Cooke for the Plaintiff

Know all men by these presents, that I, Overton Carr of Prince Georges County am held and firmly bound unto Charles Carroll of Carrollton of the city of Annapolis in the full and just sum of four hundred and ninety one pounds one shilling and six pence current money to be paid unto the said Charles Carroll his certain attorney, executors, administrators or assigns to the 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 eighteenth day of October in the year of our lord one thousand seven hundred and eighty nine. The condition of the above obligation is such that if the above bound Overton Carr do and shall well and truly pay or cause to be paid unto the said Charles Carroll his certain attorney executors, administrators or assigns the just and full sum of two hundred forty five pounds ten shillings & nine pence current money on or before the - - - day of of with legal interest thereon then the above obligation to be void else to remain in full force and virtue in law. Overton Carr (Seal)

Signed sealed & delivered in the presence of Thomas Simpson

And now at this day to wit, the said second tuesday of may being the ninth day of the same month in the year of our lord one thousand seven hundred and ninety seven, and the day of the return of the aforegoing writ, comes into the General Court here, the said Charles Carroll by his attorney aforesaid and the Sheriff of Prince Georges county to whom the said writ was in form aforesaid directed likewise comes and makes return thereof to the Court here in the following indorsement thereon to wit.

Cepi, copy left 20 April. Jo: Boone Shff.

And the said Overton Carr by Philip Barton Key his attorney appears in Court here, and saith that he cannot deny the action aforesaid of the said Charles Carroll so as aforesaid against him brought, nor but that he owes to the said Charles Carroll the said sum of four hundred and ninety one pounds one shilling and six

pence current money in manner and form as the said Charles Carroll above against him hath declared: Therefore it is considered by the Court here, that the said Charles Carroll recover against the said Overton Carr as well the said sum of four hundred and ninety one pounds one shilling and six pence current money, his debt aforesaid in form aforesaid confessed, as the quantity of six hundred and thirty three pounds tobacco, adjudged by the Court here unto him the said Charles Carroll (with his consent) as well for his damages sustained by reason of the detention of the said debt, as for his costs and charges laid out and expended about his suit in this behalf: and the said Overton Carr in mercy and so forth.

Memorandum, on the tenth day of may in the year of our lord one thousand seven hundred and ninety seven, Judgment was rendered in this cause for the penalty of the bond and costs of suit: to be released on the payment of the principal, interest and costs: payments (if any) to be allowed, stay execution till the first day of august one thousand seven hundred and ninety eight.

Test John Grinn Clk

Afterwards, to wit, on the first day of august in the year of our lord one thousand seven hundred and ninety eight, the said Overton Carr by his attorney aforesaid produced the writ of the state of Maryland of Error, directed to the Judges of the General Court in form following to wit:

Maryland Sc. The State of Maryland to the honorable the Judges of the General Court greeting: because in the record and process and also in the rendering of Judgment in a certain action brought by Charles Carroll against Overton Carr for the sum of four hundred and ninety one pounds one shilling and six pence current money and costs, to be released on payment of the sum of two hundred and forty five pounds ten shillings and nine pence current money, with Interest from the eighteenth day of October seventeen hundred and eighty nine till paid and costs, at a General Court held before you our said Judges at may term seventeen hundred and ninety seven, manifest Error as it is said has happened to the great damage of the said Overton Carr as of his complaint we have received and we being willing that the errors if any there be, should be duly corrected and full and speedy justice done to the said Overton Carr in this behalf command you that if Judgment be thereof rendered that then the record and process aforesaid with all things thereunto relating under your seals distinctly and openly you send and this writ, so that the same may be had before the Judges of our High court of Appeals at 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, chancellor this thirty first day of July in the year of our lord seventeen hundred and ninety eight.

Samuel Harvey Howard Reg. Cur. Can.