and the same day is given to the said Richard Hill surviving Executor as aforesaid also.

At which said second Tuesday of October, being the ninth day of the said Month, in the year of our Lord one thousand eight hundred and four, to which said day the said Samuel H Wheeler had leave to imparlee, and then to answer to the declaration aforesaid of the said Richard Hill surviving Executor as aforesaid in the plea aforesaid; comes again into the General Court here, as well the said Richard Hill surviving Executor as aforesaid by his Attorney aforesaid, as the said Samuel H Wheeler by his Attorney aforesaid; And the said Maxius Boone Sheriff of Prince Georges County aforesaid, in pursuance of the writ aforesaid, and according to the tenor of his return thereof as aforesaid; and in compliance with the rule of the Court aforesaid, and to save the amerciament aforesaid, brings into Court here the body of the said Filghman Hilleary; Whereupon it is ordered by the Court here that the rule and amerciament aforesaid be discharged and stricken out; And the said Filghman Hilleary by Arthur Shaaff his Attorney appears in Court here, and defends the force and injury when and so forth. Thereupon the said Richard Hill surviving Executor as aforesaid by his Attorney aforesaid agrees to receive the appearance of the said Filghman Hilleary in the plea aforesaid without special bail; And the said Samuel H Wheeler and Filghman Hilleary by their Attorney aforesaid, as before, defend the force and injury when and so forth, and pray an hearing of the writing obligatory aforesaid, and also of the condition thereof and to them they are read as follows, to wit

"Know all men by these presents, that we Samuel H Wheeler of Montgomery County and Filghman Hilleary of Prince Georges County and State of Maryland am held and firmly bound unto John Hill of Prince Georges County and State aforesaid in the full and just sum of Three hundred and thirty eight pounds eighteen shillings and ten pence current Money of Maryland

Maryland to be paid to the said John Hill his certain Attorney heirs Executors and Administrators. To the which payment well and truly to be made and don We bind ourselves our Heirs Executors and Administrators firmly by these presents sealed with our seals and dated this twenty eight day of October one thousand seven hundred and ninety four. The Condition of the above obligation is such that if the above bound Samuel H Wheeler and Filghman Hilleary do and shall well and truley pay or caus to be paid unto the said John Hill his certain Attorney heirs Executors Administrators or assigns the full and just sum of one hundred and eighty three pound and six pence half penny current Money of Maryland on or before the twenty eight of October next ensuing the date hereof with legal Interest for the same the above obligation to be void else to remain in full force and virtue in law" which being read and heard the said Samuel H Wheeler and Filghman Hilleary say, that the said Richard Hill surviving Executor as aforesaid his action aforesaid against them to have or maintain ought not Vis. because the say that they the said Samuel H Wheeler and Filghman Hilleary did pay unto the said Richard Hill surviving Executor as aforesaid the said sum of one hundred and eighty three pounds and six pence half penny current Money in the Condition of the said writing obligatory mentioned with legal Interest thereon according to the form and effect of the Condition of the said writing obligatory; as this they are ready to verify: wherefore they pray Judgment if the said Richard Hill surviving Executor as aforesaid his Action aforesaid against them to have or maintain ought &c.

And the said Richard Hill surviving Executor as aforesaid by his Attorney aforesaid saith that he by anything by the said Samuel H Wheeler and Filghman Hilleary above in pleading alledged, from having and maintaining his Action aforesaid against them ought not to be precluded because he saith, that the said Samuel H Wheeler and Filghman Hilleary did not pay unto him the said Richard Hill surviving Executor as aforesaid the aforesaid sum of Money in the condition aforesaid mentioned with