but that the aforesaid Anthony McCulloch did not well and truly pay and discharge unto him the same — Charles Carroll Esqr the said Sums of three hundred fifty and seven pounds and ten shillings Sterling and one thousand and eight pounds Currency aforesaid in the said condition of the writing obligatory aforesaid mentioned according to the form and effect of the Condition aforesaid. And the said Charles Carroll Esquire doth not deny but that the said Anthony Stewart hath fully administered all and singular the goods and Chattels which were of the said Anthony McCulloch at the time of his death and which hath come to the hands of the said Anthony Stewart to be administered as the said Anthony Stewart aforesaid by pleading hath alledged. The said Charles Carroll Esqr prays judgment for his Debt aforesaid together with his costs and charges by him about his suit in this part laid out and expended to be levied of the goods and Chattels which were of the said Anthony McCulloch and which shall hereafter come to the hands of the said Anthony Stewart Administrator as aforesaid to be administered. Therefore it is considered by the Judges here the same 18th day of May Anno Domini 1702 That the said Charles Carroll Esqr recover against the said Anthony Stewart Administrator as aforesaid as well the Sums of seven hundred and fifteen pounds Sterling and two thousand and sixteen pounds Inspection money his debt aforesaid as also the sum of pounds of Tobacco by the Court here unto him in his absent adjudged for his costs and charges by him about his suit in this behalf laid out and expended to be levied of the goods and Chattells of the said Anthony McCulloch at the time of his Death and which shall hereafter come to the hands of the said Anthony Stewart Administrator as aforesaid, to be administered and the said Defendant in mercy &c.

Test Thos. B. Hodgkin Cl.

Ts. Charles Carroll Esqr against Anthony Stewart Adm^r of Anthony McCulloch } Ann Arundel County to wit. Anthony Stewart late of Ann Arundel County merchant Administrator of all and singular the goods Chattels rights and Credits which were of Anthony McCulloch late of Queen Anns County deceased who died intestate as it is said otherwise called Anthony McCulloch of Queen Anns County was summoned to answer unto Charles Carroll Esqr of a plea that he render unto him the sum of one hundred and fifty eight pounds Sterling money which from him he unjustly detains and so forth And whereupon the said Charles by William Cooke his Attorney saith that whereas the aforesaid Anthony McCulloch in his life time to wit on the first day of August in the year Seventeen hundred and Sixty six at Ann Arundel County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the said Charles in the aforesaid sum of one hundred and fifty eight pounds Sterling money to be paid to him the said Charles when afterwards he should be thereunto required. Nevertheless neither the aforesaid Anthony McCulloch in his life time nor the aforesaid Anthony Stewart since his decease to which said Anthony Stewart the Administration of all and singular the goods Chattels rights and Credits which were of the aforesaid Anthony McCulloch at the time of his death who died intestate as it is said was since his decease in due form of law committed although often thereunto required the aforesaid Sum of one hundred and fifty eight pounds Sterling money to the said Charles have not rendered or paid but

the same to him hitherto to render or pay they have altogether refused and the said Anthony Stewart still doth refuse wherefore he saith he is the worse and hath damage to the value of one hundred 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 Anthony McCulloch which the debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

Pledges and so forth. John Doe and Richard Roe

And the aforesaid Anthony Stewart by Thomas Jennings his Attorney comes and defends the force and injury when and so forth and prayeth an hearing of the writing obligatory aforesaid and the Condition thereof and he hath them as follows to wit Know all men by these presents that we John Semple of Charles County and Anthony McCulloch of Queen Anns County are held and firmly bound unto Charles Carroll Senr Esqr of Annapolis in the full and just sum of one hundred and fifty eight pounds Sterling 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 we bind ourselves our heirs Executors and Administrators jointly and severally firmly by these presents Sealed with our Seals and dated this first day of August Anno Domini one thousand seven hundred and sixty six The condition of the above obligation is such that if the above bound John Semple 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 seventy nine pounds like money at or upon the first day of August next ensuing the date hereof with legal interest thereon then the above obligation to be void else to remain in full force and virtue in Law — which being read and heard the aforesaid Anthony Stewart by his Attorney aforesaid prays leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also. At which said next Court to wit the 13th day of September Anno Domini 1770 comes again as well the said Charles Carroll Esqr by Thomas Stone his Attorney as the said Anthony Stewart by his Attorney aforesaid and the said Anthony Stewart by his Attorney aforesaid prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the day of April Anno Domini 1775 come again the said parties plaintiff and defendant by their Attornies aforesaid and the said Defendant by his Attorney aforesaid prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the day of September Anno Domini 1775 come again the said parties plaintiff and defendant by their Attornies aforesaid and the said Defendant by his Attorney aforesaid prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also At which said next Court to wit the day of April Anno Domini 1776 come again as well the said Charles Carroll Esqr by his Attorney aforesaid as the said Anthony Stewart by his Attorney aforesaid and the said Anthony Stewart by his Attorney aforesaid as before defends the force and injury when and so forth and saith that the aforesaid Charles Carroll Esquire his action aforesaid against him to have or maintain ought not because he saith