Charles Carroll of Carrollton
against
Thomas Rufsell

Be it remembered, that heretofore, to wit, on the thirtieth day of august in the year of our Lord, one thousand seven hundred and eighty seven, the said Charles Carroll of Carrollton by William Cooke his attorney sued out of the General Court, the writ of the State of Maryland of Capias adrespondendum, directed to the Sheriff of Baltimore County in the words and figures following, to wit —

The State of Maryland, &c. To the Sheriff of Baltimore County, Greeting. We command you that you take Thomas Rufsell late of Baltimore County Merchant otherwise called Thomas Rufsell of Baltimore Town 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 october next, to answer unto Charles Carroll of Carrollton of a plea that he render unto the said Charles Carroll the full and just sum of Three hundred pounds Sterling of the value of five hundred pounds Current Money of Maryland which from him the said Charles the said Thomas unjustly detains and so forth — Hereof fail not at your peril and have you then and there this writ. Witness Robert Hanson Harrison, Esquire, Chief Judge of our said Court, the twenty fifth day of May Anno Domini 1787 —

Issued the 30 August 1787 — (Cooke) Thos B. Hodgkin Cl

And the aforesaid Charles Carroll of Carrollton 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 and Baltimore County, to wit — William Lynch late of Baltimore County Farmer otherwise called William Lynch of Baltimore Town was summoned to answer unto Charles Carroll of Carrollton of a plea that he render unto the said Charles Carroll the full and just sum of Three hundred pounds Sterling of the value of five hundred pounds Current Money of Maryland which from him the said Charles the said William unjustly detains and so forth — And whereupon the said Charles Carroll by William Cooke his attorney saith that whereas the said William Lynch on the eighteenth day of November in the year of our Lord one thousand seven hundred and eighty three at Baltimore County aforesaid by his certain writing Obligatory acknowledged himself to be held and firmly bound unto the said Charles Carroll in the aforesaid sum of Three hundred pounds Sterling to be paid to the said Charles Carroll when afterwards he the said William Lynch should be thereunto required; and the said Charles Carroll in fact saith that the said sum of Three hundred pounds Sterling at the time of making the said writing obligatory aforesaid was and always since hath been and yet is of the value of five hundred pounds Current Money of Maryland to wit at Baltimore County aforesaid: Nevertheless

the said William Lynch altho' often thereunto required the aforesaid sum of Three hundred pounds Sterling or the value thereof as aforesaid to him the said Charles Carroll hath not contented or paid, but the same or the value thereof as aforesaid to the said Charles Carroll to content or pay he the said William Lynch hath hitherto altogether refused and still doth refuse, wherefore the said Charles Carroll saith he is the worse and hath damage to the value of five hundred pounds Current Money of Maryland and therefore he brings his Suit and so forth and brings here into Court the writing obligatory aforesaid sealed with the said William Lynch which the Debt aforesaid in form aforesaid witnesseth the Date whereof is the Day and year aforesaid and so forth —

WCooke for Plff. Pledges &c so forth — John Doe & Richard Roe

Issue same against Thomas Rufsell late of Baltimore County merchant otherwise called Thomas Rufsell of Baltimore Town to answer unto same in same plea — Same Year and Oyer Mutatis Mutandis — WCooke —

Oyer of the writing Obligatory and Condition thereof follows in these words viz.

Know all men by these presents, that we William Lynch an Thomas Rufsell of Baltimore Town are held and firmly bound unto Charles Carroll of Carrollton of the City of Annapolis in the full and just sum of Three hundred pounds Sterling to be paid unto the said Charles Carroll of Carrollton his certain attorney, Executors, administrators or assigns: To which payment well and truly to be made and done we bind ourselves, Heirs, Executors and Administrators jointly and severally firmly by these presents, Sealed with our seals and dated this eighteenth day of November Anno Domini one thousand seven hundred and eighty three — The Condition of the above Obligation is such, that if the above bound William Lynch and Thomas Rufsell do and shall well and truly pay or cause to be paid unto the said Charles Carroll of Carrollton his certain attorney, Executors, administrators or assigns the just and full sum of One hundred and fifty pounds Sterling in three years from this date with full Lawful Interest annually without any Deduction under the present or any future assessment Law at or upon the Day of next ensuing the date hereof, with legal Interest for the same, then the above Obligation to be void, else to remain in full force and virtue in Law —

At which mentioned second Tuesday of October, being the ninth day of the same month, in the year of our Lord, one thousand seven hundred and eighty seven, and the day of the return of the aforegoing writ, comes into the General Court here, the aforesaid Charles Carroll of Carrollton by William Cooke his attorney aforesaid; and the Sheriff of Baltimore County aforesaid, to wit Philip Graybill, Gentleman to whom the said aforegoing writ was in form aforesaid directed likewise comes and makes return thereof to the Court here, thus endorsed, to wit —

"Cepi Copy left 14th September — Philip Graybill Shff

And the said Philip Graybill Sheriff of the County aforesaid altho' long called upon to bring into the Court the Body of the said Thomas Rufsell according to his return of the writ aforesaid brings him not in; It is thereupon Ruled by the Court here that the said Philip Graybill Sheriff of the County aforesaid be amerced the Debt aforesaid and also all such Costs and charges as have or may accrue in the premises aforesaid in case he hath not the Body of him the said Thomas Rufsell before the Judges of our next General Court here