the second Tuesday of May next, the same day is given to the aforesaid Charles Carroll of Carrollton also —

At which said second Tuesday of May being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and eighty eight, comes again here into the General Court as well the aforesaid Charles Carroll of Carrollton by his attorney aforesaid as the said Philip Graybill Sheriff of the County aforesaid, and the said Philip Graybill Sheriff as aforesaid being again solemnly called upon to bring into Court the Body of him the said Thomas Rutsell whom this day he ought to have here in compliance with the rule aforesaid and to save the amercement aforesaid him the said Thomas Rutsell brings in — Thereupon it is ordered by the Court here that the amercement aforesaid be struck out —

And the said Thomas Rutsell by Samuel Chase his attorney appears in Court here, And thereupon on motion of the aforesaid Charles Carroll of Carrollton by his attorney aforesaid, It is ruled by the Court here, that the said Thomas Rutsell give Special bail to the action aforesaid in the plea aforesaid; Whereupon the said Thomas Rutsell by his attorney aforesaid files in Court here the following Bail Piece, to wit —

Charles Carroll of Carrollton against Thomas Rutsell } You John Rogs and Chas Dyer jointly and severally acknowledge yourselves Special bail for Thomas Rutsell at the suit of Charles Carroll of Carrollton in an action of Debt brought by said Charles Carroll of Carrollton against the said Thomas Rutsell in the General Court for the Western Shore in the City of Annapolis the second Tuesday in October last; They acknowledge themselves content therewith, This 13 Day of May seventeen hundred and eighty eight

Acknowledged Before Geo. Gantt Presbury
Isaac Hibber

I Thomas Rutsell Ingagee, authorise and appoint Saml Chase Esquire to appear for me in the above Action. Given under my hand and seal this 13 Day of May Seventeen hundred and eighty eight —

Teste Geo. Gantt Thomas Rutsell

To the Honorable the Judges of the General Court —

And thereupon on motion of the aforesaid Charles Carroll of Carrollton by his attorney aforesaid, It is ruled by the Court here, that the said Thomas Rutsell answer to the Declaration aforesaid of the aforesaid Charles Carroll of Carrollton in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; And the said Thomas Rutsell by his attorney aforesaid defends the force and injury when and so forth; and prays leave of the Court here to Imparle until the second Tuesday of October next and to him it is granted the same day is given to the aforesaid Charles Carroll of Carrollton also —

And the said Thomas Rutsell by his attorney aforesaid, comes and defends the force and injury when and so forth, and saith that the aforesaid Charles Carroll of Carrollton his action aforesaid against him to have or maintain ought not to, because he saith that he the said Thomas Rutsell did pay unto the aforesaid Charles Carroll of Carrollton the said sum of 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, and this he is ready to verify, wherefore he prays Judgment if the aforesaid Charles Carroll of Carrollton his action aforesaid against him to have or maintain ought and so forth —

And the aforesaid Charles Carroll of Carrollton by his attorney aforesaid saith that he by any thing by the said Thomas Rutsell above in pleading alleged from having or maintaining his action aforesaid against him ought not to be precluded because he saith that the said Thomas Rutsell hath not paid unto him the aforesaid Charles Carroll of Carrollton the aforesaid sum of money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said Thomas Rutsell above by pleading hath alleged, and this he prays may be inquired of by the Country, and the said Thomas Rutsell in like manner and so forth — Therefore let a Jury thereon appear before the Court here, on the second Tuesday of October next, by whom and so forth and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties there and there and so forth —

And now, at this day, to wit, the said second Tuesday of October being the fourteenth day of the same month in the year of our Lord one thousand seven hundred and eighty eight, come again into the General Court here, as well the aforesaid Charles Carroll of Carrollton by his attorney aforesaid, as the said Thomas Rutsell by his attorney aforesaid; and the said Thomas Rutsell by his attorney aforesaid, relinquishing the amercement aforesaid above by him pretended says, that he cannot deny the action aforesaid, of the aforesaid Charles Carroll of Carrollton so as aforesaid against him brought, nor but that he owes to the aforesaid Charles Carroll of Carrollton the aforesaid sum of Five hundred pounds current money of Maryland in manner and form aforesaid so as the aforesaid Charles Carroll of Carrollton above against him hath declared —

Therefore it is considered by the Court here, that the aforesaid Charles Carroll of Carrollton recover against the said Thomas Rutsell as well the sum of five hundred pounds current money of Maryland his debt aforesaid in form aforesaid confessed, as the quantity of seven hundred and thirty pounds of Tobacco by the Court here unto the aforesaid Charles Carroll of Carrollton on his assent adjudged for his damages which he hath sustained as well by reason of the detention of that Debt, as for his costs and charges by him about his suit in this behalf laid out and expended, And the said Thomas Rutsell in mercy and so forth —

Memorandum, Judgment rendered in this cause on the twenty first day of October in the year of our Lord one thousand seven hundred and eighty eight, for the penalty and costs of Suit, And the Plaintiff agrees to release the penalty upon the payment of Principal, Interest and Costs, and agrees to stay Execution until the first day of March next: Payments if any to be allowed —

30 sides

Test. John Gwinn Clerk —