The Condition of the above obligation is such that if the above bound Daniel Gaver and Thomas Ogle 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 seventy five pounds sterling ddt on 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.

Signed sealed and delivered in the presence of Rind. Johnson a Witness to Dan. Gaver's executing this Bond. — Thomas Ogle executed this Bond in presence of Thomas B. Hodgkin.

Daniel Gaver (seal)

Thomas Ogle (seal)

A Copy of which aforegoing Declaration and Bond was made and sent with the writ which issued in the plea aforesaid. —

At which said second tuesday of May towit, the thirteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, being the day of the return of the aforegoing writ, comes here into our General Court the said Charles Carroll by his attorney aforesaid, and the sheriff of Frederick county to whom the same writ was made and directed, likewise comes and makes return thereof to the Court here thus endorsed towit

Cepi. Copy left 22d. April 1788. Thos. Beatty Shff.

And the said Thomas Ogle being called upon appear and at the prayer of the said Charles Carroll by his attorney aforesaid, the said Thomas Ogle is adjudged to give special bail to the action aforesaid, whereupon a certain Normand Bruce of Washington county gentleman present here in Court in his proper person undertakes for the said Thomas Ogle that in case the said Charles Carroll shall recover Judgment against the said Thomas Ogle in the plea aforesaid, or that the said Thomas Ogle shall be therein legally convict that then the said Thomas Ogle shall pay the condemnation of the Court thereupon or render his body to the custody of the sheriff of Frederick county in satisfaction thereof or that he the said Normand Bruce will do the same for him. — And the said Thomas Ogle by Baker Johnson his attorney comes and defends the force and injury when and soforth, and prays leave of the Court to imparle hereunto until next Court, and he hath it, and the same day is given to the said Charles Carroll also. —

At which said next Court towit, the second tuesday of October being the fourteenth day of the same month Anno Domini one thousand seven hundred and eighty eight come again here into our General Court as well the said Charles Carroll by his attorney aforesaid, as the said Thomas Ogle by his attorney aforesaid. — And the said Thomas Ogle by his attorney aforesaid, as before defends the force and injury when and so forth and saith, that the said Charles Carroll his action aforesaid thereof against him to have and maintain ought not because he saith, that he the said Thomas Ogle did pay unto the said Charles Carroll the sum of money in the condition of the writing obligatory mentioned, with legal interest thereon according to the form and effect of the said Condition of the writing obligatory, And this he is ready to verify, wherefore he prays Judgment, if the said Charles Carroll his action aforesaid against him,

to

to have and maintain, ought, and soforth.

And the said Charles Carroll saith, that he, by any thing by the said Thomas Ogle above in pleading alledged from having and maintaining his action aforesaid against him ought not to be precluded, because he saith, that the said Thomas Ogle hath not paid unto him the said Charles Carroll, the said sum of money in the Condition of the writing obligatory aforesaid mentioned, with the interest thereon in such manner and form, as the said Thomas Ogle above in pleading hath alledged, and of this he prays may be enquired of by the Country, and the said Thomas Ogle in like manner and soforth.

Therefore let a Jury thereupon appear before the Judges of our General Court here on the second tuesday of May next, by whom and soforth, and who neither and soforth, to recognize and soforth, because as well and soforth, the same day is given to the said parties then and there and soforth. —

And now here at this day towit, the said second tuesday of May being the twelfth day of the same month Anno Domini one thousand seven hundred and eighty nine, come again here into our General Court as well the said Charles Carroll by his attorney aforesaid, as the said Thomas Ogle by his attorney aforesaid. — Nevertheless the said Thomas Ogle by his attorney aforesaid, relinquishing the averment above by him pretended, 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 sum of two hundred and fifty pounds current money aforesaid, in manner and form aforesaid, so as the said Charles Carroll above against him hath declared. —

Therefore it is considered by the Judges here, that the said Charles Carroll recover against the said Thomas Ogle as well the sum of two hundred and fifty pounds current money his debt aforesaid in form aforesaid confessed, as also the quantity of five hundred and ninety nine pounds of tobacco by the Court here, unto the said Charles Carroll on his assent adjudged, as well for his damages sustained 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 Ogle in mercy and soforth. —

Memorandum, Judgment was rendered in this cause on the fifteenth day of May Anno Domini one thousand seven hundred and eighty nine, for penalty to be released on the payment of the principal, interest and costs, payments if any to be allowed, And the Plaintiff agrees to stay execution until the first day of August next.

Test

John Irwin Clk.

Charles Carroll against Thomas Ogle.

Be it remembered that on the first day of July Anno Domini one thousand seven hundred and eighty nine, Thomas Ogle files in our General Court here the following supersedeas towit

You Thomas Ogle, Thomas Schley senr. & Daniel Gaver do jointly & severally confess Judgment unto Charles Carroll of Carrollton as well for the sum of two hundred & fifty pounds current money as also five hundred and ninety nine pounds of tobacco costs which said sum of money and costs were recovered by the said Charles Carroll of Carrollton against the said

Thomas