one thousand seven hundred and eighty three. The Condition of the above obligation is such that if the above bound Thomas Rufsell his Heirs, Executors administrators or assigns, or either of them do and shall well and truely pay or cause to be paid unto the said Mary M^c^Cullock, Charles Steward and James M^c^Cullock their certain attorney Executors administrators or assigns the full and just sum of one hundred and forty one pounds current money with legal interest from the 19th day of February last, then the above Obligation to be void and of none effect else to be and remain in full force and vertue in Law.

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 in October court, the ninth day of the same month anno domini one thousand seven hundred and eighty seven, being the day of the return of the aforegoing writ, comes the said Mary M^c^Cullock, Charles Steward and James M^c^Cullock by their attorney aforesaid, And the sheriff of Baltimore county to wit, Philip Graybell to whom the said writ was directed likewise comes and makes return thereof to the Court here, that he hath taken the body of the said Thomas Rufsell and the same hath ready agreable to the exigence of the said writ. And the said Thomas Rufsell by Samuel Chase his attorney comes and defends the force and injury when &c^c^ and prays leave of the Court here, to imparle until the second tuesday in May next and to him it is granted, and the same day is given to the said Mary M^c^Cullock, Charles Steward and James M^c^Cullock also.

At which said second tuesday in May court, the thirteenth day of the same month anno domini one thousand seven hundred and eighty eight, come again into our General Court here, as well the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock by their attorney aforesaid, as the said Thomas Rufsell by his attorney aforesaid; And the said Thomas Rufsell by his attorney aforesaid as before defends the force and injury when &c^c^ and prays further leave of the Court here to imparle until the second tuesday in October next and to him it is granted, and the same day is given to the said Thomas Rufsell also.

At which said second tuesday in October court, the fourteenth day of the same month anno domini one thousand seven hundred and eighty eight come again into our General Court here, as well the said Mary M^c^Cullock Charles Stewart and James M^c^Cullock by their attorney aforesaid, as the said Thomas Rufsell by his attorney aforesaid, And the said Thomas Rufsell by his attorney aforesaid as before further defends the force and injury when &c^c^ and saith that the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock their action aforesaid thereof against him the said Thomas Rufsell to have or maintain ought not, because he saith that he the said Thomas Rufsell before the impetration of the original writ in this cause paid unto the said Mary M^c^Cullock, Charles Stewart, and James M^c^Cullock the said sum of money with legal interest thereon according to the form and effect of the

the Condition of the writing obligatory aforesaid, to wit, at Baltimore county aforesaid, and this he is ready to verify. Wherefore he prays Judgment if the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock their action aforesaid thereof against him to have or maintain ought &c^c^

And the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock say that they by any thing by the said Thomas Rufsell in his plea above alleged from having or maintaining their action aforesaid, ought not to be precluded because they say, that the said Thomas Rufsell did not pay to them the said Mary M^c^Cullock Charles Stewart and James M^c^Cullock the said sum of money, with legal interest thereon, which the said Thomas Rufsell to the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock ought to have paid according to the form and effect of the said Condition of the writing obligatory aforesaid, as the said Thomas Rufsell above against them alleged; and of this they pray may be enquired by the Country. and the said Thomas Rufsell in like manner &c^c^ Therefore let a Jury thereon come before the Judges of the Court here; on the second tuesday in May next, by whom &c^c^ who neither &c^c^ to recognize &c^c^ because as well &c^c^ the same day is given to the said parties then and there &c^c^

And now here on this day court, the said second tuesday in May being the twelfth day of the same month anno domini one thousand seven hundred and eighty nine, come again into our General Court here as well the said Mary M^c^Cullock Charles Stewart and James M^c^Cullock by their attorney aforesaid, as the said Thomas Rufsell by his attorney aforesaid. And the said Thomas Rufsell by his attorney aforesaid, relinquishing the averment aforesaid above by him pretended, saith that he cannot deny the action aforesaid of the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock so as aforesaid against him brought, nor but that he owes to the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock the sum of two hundred and eighty two pounds current money, in such manner and form, as the said Mary M^c^Cullock, Charles Stewart and James M^c^Cullock above against him declared. - Therefore it is considered by the Judges of the Court here, that the said Mary M^c^Cullock, Charles Stewart, and James M^c^Cullock recover against the said Thomas Rufsell as well the sum of two hundred and eighty two pounds current money his debt aforesaid in form aforesaid confessed; as the quantity of six hundred and sixty six and three fifths pounds of tobacco by the Judges of the Court here, unto them on their agreement adjudged, as well for their damages which they sustained by occasion of the detention of that debt as for their costs and charges by them about their suit in this behalf laid out and expended: and that the said Thomas Rufsell be in mercy &c^c^

Memorandum, Judgment was rendered in this cause on the fifteenth day of May anno domini one thousand seven hundred and eighty nine for penalty and costs, to be relieved on payment of principal interest and costs payments if any to be allowed: stay Execution to 1st August next.

Test. John Gwinn Clk.