said Writing Obligatory mentioned with legal Interest thereon according to the form and effect of the said Writing Obligatory and this he is ready to verify wherefore he prays Judgment if the said Bushrod and Corbet Executors as aforesaid their Action aforesaid against him to have or maintain ought &c.

And the said Bushrod Washington and Corbet Washington Executors aforesaid say that they by any thing by the said James Sterett above in pleading alledged from having or maining their Action aforesaid against him ought not to be precluded because they say that the aforesaid James Sterett did not pay unto the said John Augustine Washington in his life time the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said James Sterett above by pleading hath alledged and of this they pray may be enquired of by the Country and the said James Sterett in like manner &c.

Whereupon this cause standing ready for Trial Command is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court here on the second Tuesday of October next twelve &c. by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the said parties then and there &c.

At which said second tuesday of October being the thirteenth day of the same Month Anno Domini seventeen hundred and eighty nine come again as well the aforesaid Bushrod Washington and Corbet Washington Executors as aforesaid by their Attorney aforesaid as the said James Sterett by his Attorney aforesaid Nevertheless the said James Sterett by his Attorney aforesaid relinquishing the averment by him above pretended says that he cannot deny the Action aforesaid of the aforesaid Bushrod Washington and Corbet Washington Executors as aforesaid so as aforesaid against him had and maintained nor but that he owes to the said Bushrod Washington and Corbet Washington Executors as aforesaid the aforesaid sum of fourteen hundred and fifty four pounds one shilling and six pence Current Money aforesaid in such manner and form as the aforesaid John Augustine Washington in his life time above against him hath declared.

Therefore it is considered by the Judges here that the aforesaid Bushrod Washington and Corbett Washington Executors as aforesaid recover against the said James Sterett as well the sum of fourteen hundred and fifty four pounds one Shilling and six pence Current Money aforesaid their Debt aforesaid in form aforesaid confessed as also the sum of six hundred and fifty one pounds and two fifths of a pound of Tobacco by the Court here unto them on their Assent adjudged as well for their damages sustained by occasion of the

(detaining)

detaining of that Debt as for their Costs and charges by them about their suit in this behalf laid out and expended and the said Defendant in Mercy &c.

Memorandum. The plaintiff agree to release the penalty on payment of the principal Interest and costs of suit and agree to stay Execution until the first day of January next payments if any to be allowed.

Test. John Gwinn Clk

Charles Carroll of Carrollton
against
Benjamin Wells junr.

Be it Remembered that heretofore to wit on the twenty third day of July Anno Domini seventeen hundred and eighty eight the plaintiff by Robert Smith his Attorney sued out of our General Court here the State of Marylands Writ of Capias ad respondendum directed to the Sheriff of Baltimore County in the Words and figures following to wit

The State of Maryland SS. To the Sheriff of Baltimore County Greeting We Command you that you Benjamin Wells late of Baltimore County Yeoman otherwise called Benjamin Wells son of Benjamin of Baltimore County 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 a plea that he render unto him the sum of Two hundred and eighty pounds Current Money of Maryland which he owes to and unjustly detains from him and so forth hereof fail not and have you then and there this Writ Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 12th day of June Anno Domini 1788.

John Gwinn Clk

Issued the 23d day of July 1788. (R Smith)

And the aforesaid Charles Carroll by Robert Smith his Attorney aforesaid declared against the aforesaid Benjamin Wells junior in the plea aforesaid as follows to wit.

Western Shore of Maryland Baltimore County to wit Benjamin Wells late of Baltimore County Yeoman otherwise called Benjamin Wells son of Benjamin of Baltimore was summoned to answer unto Charles Carroll of a plea that he render unto him the sum of Two hundred and eighty pounds Current Money of Maryland which he owes to and unjustly detains from him and so forth And Whereupon the same Charles Carroll by Robert Smith his Attorney complains that the aforesaid Benjamin Wells on the Ninth day of May in the Year one thousand seven hundred and eighty five at Baltimore County aforesaid by his Writing Obligatory which the said Charles with the Seal of the aforesaid Benjamin sealed here into Court doth bring the date whereof is on the same day and Year aforesaid acknowledged himself to be held and firmly bound unto the aforesaid Charles Carroll by the name of Charles Carroll of Carrollton Esquire and Company in the aforesaid sum of Two hundred and eighty pounds Current Money to be paid to

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