the said Charles Carroll when thereto afterwards he should be required Nevertheless the said Benjamin (although often required) the aforesaid sum of Money or any part thereof to the said Charles Carroll hath not yet paid but the same to him to pay altogether hitherto hath refused and still doth refuse to the damage of the said Charles Carroll five hundred pounds Current Money and thereupon he brings suit and so forth.

Robert Smith for plff — pledges &c — John Doe & Richard Roe

Copy of the Bond.

Know all Men by these presents that we Henry Brown George Brown and Benjamin Wells son of Benjamin all of Baltimore County are held and firmly bound unto Charles Carroll of Carrollton Esquire and Company in the full and just sum of Two hundred and eighty pounds Current Money to be paid to the said Charles Carroll of Carrollton Esquire and Company or to their certain Attorney Executors Administrators or Assigns to the which payment well and truly to be made and done we bind ourselves our heirs Executors Administrators jointly and severally firmly by these presents Sealed with our Seals and dated this Ninth day of May Anno Domini One thousand seven hundred and eighty five.

The Condition of the above Obligation is such that if the above bound Henry Brown George Brown Benjamin Wells or either of them their Heirs Executors or Administrators do and shall well and truly pay or cause to be paid unto the said Charles Carroll of Carrollton Esquire and Company their certain Attorney Executors Administrators or Assigns the full and just sum of One hundred and forty pounds Current Money at or upon the ninth day of May in the year seventeen hundred and eighty eight with legal Interest annually then the above Obligation to be void and of none effect or else to remain in full force and virtue in law.

Sealed and delivered in presence of — John Merryman.

Henry Brown — (Seal)
George Brown — (Seal)
Benjamin Wells jun^r — (Seal)

A Copy of which aforegoing declaration and Oyer was made and sent with the Writ which issued in the plea aforesaid.

At which said second tuesday of October being the fourteenth day of the same Month Anno Domini seventeen hundred and eighty eight and the day of the return of the aforegoing Writ comes the said Charles Carroll by his Attorney aforesaid and the Sheriff of Baltimore County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus endorsed tovit

Cepi Copy left 25th Aug^t — P. Graybell Shff.

And the said Benjamin Wells being called upon appears and at the prayer of the aforesaid Charles Carroll by his Attorney aforesaid the said Benjamin Wells is adjudged to give special Bail to the Action aforesaid Whereupon

the,

the said Benjamin Wells by Luther Martin his Attorney files in Court here the following Bail pica tovit.

Charles Carroll against Benjamin Wells.

You Joshua Bosley and William Hiorne jointly and severally acknowledge yourselves special bail for Benjamin Wells at the suit of Charles Carroll in an Action of debt brought by the said Charles Carroll against the said Benjamin Wells in the General Court for the Western Shore to be held at the City of Annapolis the second tuesday in October instant they acknowledge themselves content therewith this 11th day of October seventeen hundred and eighty eight.

Acknowledged before Lyde Goodwin
Geo. Gould^t Jres bary

I Benjamin Wells impower authorise and appoint Luther Martin Esquire to appear for me in the above Action. Given under my hand and Seal this 11th day of October seventeen hundred and eighty eight.

Benjamin Wells.

Witness Lyde Goodwin

To the Honourable the Judges of the General Court ——

And the said Benjamin Wells by Luther Martin his Attorney comes and defends the force and injury when and so forth and prays leave to imparle hereunto until next Court and he hath it and the same day is given to the plaintiff also.

At which said next Court tovit the thirteenth day of May Anno Domini seventeen hundred and eighty nine comes again as well the said Charles Carroll by his Attorney aforesaid as the said Benjamin Wells by his Attorney aforesaid And the said Benjamin Wells 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 against him to have or maintain ought not &c because he saith that he the said Benjamin Wells did pay unto the said Charles Carroll 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 said Writing Obligatory and this he is ready to verify. Wherefore he prays Judgment if the said Charles Carroll his Action aforesaid against him to have or maintain ought &c

And the said Charles Carroll saith that he by any thing by the said Benjamin Wells above in pleading alledged from having or maintaining his Action aforesaid against him ought not to be precluded because he saith that the aforesaid Benjamin Wells did not pay unto him the said Charles Carroll the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said Benjamin Wells above by pleading hath alledged and of this he prays may be enquired of by the Country and the aforesaid Benjamin Wells in like manner and so forth.

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

(ds.