thereof follows.

Maryland to Know all men by these presents that I Roger Brooke of the County of Frederick am held and firmly bound unto John Gwinn and Company of same place in the sum of two hundred and sixty one pounds current money to be paid to the said John Gwinn &c. their certain attorney Executors administrators or Assigns. To which payment well and truly to be made I bind myself, my heirs Executors and administrators firmly by these presents Sealed with my seal dated the fourth day of July in the year of our Lord one thousand seven hundred and Eighty six.

The Condition of the above obligation is such that if the above bound Roger Brooke his heirs executors administrators or any of them shall and do well and truly pay or cause to be paid unto the above named John Gwinn and Company their certain attorney executors administrators or Assigns the Just and full sum of one hundred and thirty pounds ten shillings Current money on demand with legal Interest for the same from the date hereof without fraud or Delay, then the above obligation to be void and of none effect or else to be and remain in full force and virtue in Law.

Sealed and delivered in the presence of Jno. Wilder } Roger Brooke (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 thirteenth day of the same month Anno Domini seventeen hundred and eighty nine and the day of the return of the aforegoing writ come the aforesaid John Gwinn William Barnes and John Gwinn Junior by William Cooke their attorney aforesaid and the sheriff of Frederick County to whom the said writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit.

Cepi. P. Mantz Shff.

And the said Roger Brooke being called upon appears and at the prayer of the said John Gwinn William Barnes and John

John Gwinn Junior by their attorney aforesaid the said Roger Brooke is adjudged to give special bail to the action aforesaid. Whereupon a certain Benjamin Price of Frederick County Gentleman present here in Court in his proper person undertakes for the said Roger Brooke that in case the said John Gwinn William Barnes and John Gwinn Junior shall recover Judgment against the said Roger Brooke in the plea aforesaid or that the said Roger Brooke shall be therein legally convict that then the said Roger Brooke 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 Benjamin Price will do the same for him.

And the said Roger Brooke by Baker Johnson his attorney 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 Plaintiffs also.

At which said next court to wit the eleventh day of May anno domini seventeen hundred and ninety come again as well the said John Gwinn William Barnes and John Gwinn Junior by their attorney aforesaid as the said Roger Brooke by his attorney aforesaid.

And the said Roger Brooke by his attorney aforesaid as before defends the force and injury when and so forth and prays oyer of the Bond aforesaid with the Condition thereof which is read to him which being read and heard the said Roger Brooke saith that the said John Gwinn William Barnes and John Gwinn Junior their action aforesaid against him to have or maintain ought not &c. Because he saith that he the said Roger Brooke did pay unto the said John Gwinn William Barnes and John Gwinn Junior 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 said John Gwinn William Barnes and John Gwinn Junior their action aforesaid against him to have or maintain ought &c.

And the said John Gwinn William Barnes and John Gwinn Junior say that they by any thing by the said Roger Brooke above in pleading alledged from having or maintaining their action aforesaid against him ought not to be precluded because they say that the aforesaid