them the sum of six hundred and eighty four pounds ten shillings current money of Maryland which he owes to, and unjustly detains from them and so forth, And whereupon the same James and William by Robert Smith their Attorney, complain that whereas the aforesaid Benjamin on the sixth day of February in the year seventeen hundred and ninety three at Prince Georges County aforesaid, by his certain writing obligatory acknowledged himself to be held and firmly bound unto the said James and William by the name of Messieurs Somervell and Duguid Merchants of Baltimore in the aforesaid sum of six hundred and Eighty four pounds ten shillings current money of Maryland to be paid to the said James and William their Executors, Administrators, or Assigns when thereto afterwards he should be requested, Nevertheless the said Benjamin although often requested the aforesaid sum of six hundred and eighty four pounds ten shillings current money of Maryland or any part thereof to the said James and William or to either of them hath not yet paid but hath hitherto altogether refused to pay the same to the said James and William or to either of them and still doth refuse to the Damage of them the said James and William four hundred pounds current money of Maryland, And thereupon they bring suit and so forth, And the said James and William bring here into Court the writing obligatory aforesaid sealed with the seal of the said Benjamin the date whereof is on the same day and year aforesaid, which the Debt aforesaid in form aforesaid witnesseth,

R. Smith Pro. Pltffs. Pledges Vz. John Doe, and Richard Roe.

(over of the writing obligatory)

Know all men by these presents that I Benjamin Oden of Prince Georges County Maryland am held and firmly bound unto Messrs. Somervell and Duguid Merchts. of Baltr. in the full and just sum of six hundred and Eighty four pounds ten shillings current money to be paid to the said Somervell and Duguid their certain attorney, Executors Administrators or Assigns, to the which payment well and truly to be made and done, I bind myself my heirs Executors and Administrators firmly by these presents, Sealed with my seal and Dated this sixth day of February, in the year of our Lord one thousand seven hundred and ninety three.

The Condition of the above obligation is such that if the above bound

Bound Benjamin Oden do and shall well and truly pay or cause to be paid unto the said Somervell and Duguid or to their certain Attorney, Executors Administrators or Assigns the full and just sum of three hundred and forty two pounds six shillings current money on or before the day of with legal interest thereon, then this obligation to be void, else to remain in full force and virtue in Law.

Benjamin Oden (seal)

Signed Sealed and delivered in the presence of Nathan Levy.

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

At which mentioned second Tuesday of May being the thirteenth day of the same month Anno Domini seventeen hundred and ninety four and the day of the return of the aforegoing writ come here into our General Court the aforesaid James Somervell and William Duguid by Robert Smith their Attorney aforesaid, And the sheriff of Prince Georges County, to whom the said aforegoing writ was made and directed likewise comes and makes return thereof to the Court here this endorsed to wit. N.E. Wm. Jno. Jackson Sheriff

Whereupon the aforesaid James Somervell and William Duguid by their Attorney aforesaid again sued out of our General Court the State of Marylands writ of Capias ad respondendum directed to the sheriff of Prince Georges County, aforesaid in the words and figures following to wit.

The State of Maryland, &c. To the sheriff of Prince Georges County, Greeting. We command you that you take Benjamin Oden late of Prince Georges County yeoman, otherwise called Benjamin Oden of Prince Georges County Maryland 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 James Somervell and William Duguid of a plea that he render unto them the sum of six hundred and eighty four pounds ten shillings, Current money of Maryland which he owes to and unjustly detains from them and so forth, hereof fail not at your peril, and have you then and there this writ. Witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court the 31st day of May Anno Domini 1794.

Issued the 12th day of June 1794. R. Smith. Jno. Gwinn Clk.

And a Copy of which aforegoing Declaration and oyer was also made and