and sent with the writ which issued last aforesaid in the plea aforesaid. At which mentioned second tuesday of October being the fourteenth day of the same month Anno Domini seventeen hundred and ninety four and the day of the return of the last aforegoing writ come here into our General Court as well the aforesaid James Somervell and William Duguid by Robert Smith their Attorney aforesaid And the sheriff of Prince Georges County to whom the said last aforegoing writ was made and directed likewise comes and makes return thereof to the court here thus to wit.

Cepi Copy left 15th August 1794. Wm. Inf. Jackson Sheriff.

And the said Benjamin Oden being called upon appears And at the prayer of the aforesaid James Somervell and William Duguid by their Attorney aforesaid the said Benjamin Oden is adjudged to give special bail to the action aforesaid, Whereupon the said Benjamin Oden by Luther Martin his Attorney files in Court here the following Bail piece to wit.

James Somerville and William Duguid against Benjamin Oden

You Luther Martin and Allen Luyon jointly and severally acknowledge yourselves special bail for Benjamin Oden at the suit of James Somerville and William Duguid in an action of Debt brought by the said Somerville and Duguid against the said Benjamin Oden in the General Court for the Western shore to be held in the City of Annapolis the second Tuesday in October in the year of our Lord one thousand seven hundred and ninety four; They acknowledge themselves content therewith this twenty second day of November seventeen hundred and ninety four. Acknowledged before. Samuel Chase.

And the aforesaid Benjamin Oden by his Attorney aforesaid comes and defends the force and injury when and so forth, and prays leave of the Court to Imparle hereunto until next Court and he hath it the same day is given to the Plaintiffs also.

At which said next Court to wit, the second Tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and ninety five come again here into our General Court as well the aforesaid James Somervell and William Duguid by their Attorney aforesaid as the aforesaid Benjamin Oden by his Attorney aforesaid, And the said Benjamin Oden by his Attorney aforesaid as before defends the force and injury when and

and so forth, and craves oyer of the said writing obligatory and to him it is read in the following words viz.

Know all men by these presents that I Benjamin Oden of Prince George's County Maryland am held and firmly bound unto Messrs. Somervell and Duguid Merchts. of Balt. 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, and he also craves oyer of the Condition of the said writing obligatory, and to him it is read in these words, viz. The Condition of the above obligation is such that if the above bound Benjamin Oden do and shall and 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. Which being read and heard the said Benjamin saith, that the said Somervell and Duguid their action thereof against him to have or maintain ought not, because he saith that he the said Benjamin after the making the writing obligatory and before the day of suing out the original writ of them the said Somervell and Duguid the said sum of six hundred and eighty four pounds ten shillings Current money of Maryland, in the Condition of the said writing obligatory mentioned with legal interest due thereon, according to the form and effect of the said Condition, and this he the said Benjamin is ready to verify, wherefore he prays Judgment if they the said Somervell and Duguid their action aforesaid thereof against him the said Benjamin to have or maintain ought and so forth.

And the aforesaid James Somervell and William Duguid say that they by any thing by the said Benjamin Oden above in pleading alledged from having or maintaining their action aforesaid against him ought not to be precluded because they say that the said Benjamin Oden after the making the writing obligatory aforesaid and before the day of suing out the original writ of them the said James Somervell and William

Duguid