Baltimore county that he nor no person for him had received any part or parcel security or satisfaction for the said Bond by his endorsement on the said writing obligatory made and with his proper hand subscribed and with the seal of him the said John sealed bearing date the day and year aforesaid according to the form force and effect of the act of Assembly aforesaid. the aforesaid writing obligatory unto the said Nicholas Maccubbin did assign and transfer whereof the aforesaid Zachariah on the day and year aforesaid at the county aforesaid had notice by virtue whereof and also by force of the act of Assembly in such case made and provided action accrued to him the said Nicholas to have and demand of him the aforesaid Zachariah the aforesaid sum of Three hundred and twenty three pounds four shillings and eight pence sterling money. And the aforesaid James in fact saith that the aforesaid sum of sterling money was at the time of the sealing and delivery of the writing obligatory aforesaid always since hath been and still is of the value of five hundred and thirty eight pounds fourteen shillings and five pence one farthing current money of Maryland whereof the aforesaid Zachariah had notice. Nevertheless the aforesaid Zachariah altho often thereto required the aforesaid sum of sterling money or the value thereof in current money as aforesaid to him the said Nicholas in his lifetime hath not rendered or paid but the same to him the said Nicholas in his lifetime or to the said John Henry Maccubbin and James Carroll after the death of the said Nicholas or to the said James Carroll since the death of the said John whom the said James hath survived or to either of them to content or pay he hath altogether refused and the same to pay or satisfy to him the said James he still doth refuse to the Damage of the said James in the sum of One Thousand pounds current money wherefore he brings suit and sueth, and brings here into Court as well the writing obligatory aforesaid sealed with the seal of the aforesaid Zachariah which the debt aforesaid in form aforesaid witnesseth the date whereof is the day and year aforesaid as the assignment aforesaid which the debt and assignment in form aforesaid testifies and also the letters testamentary to the aforesaid John Henry & James which said John Henry the said James hath survived whereby it sufficiently appears to the Court here that the aforesaid James since the death of the John Henry is executor of the Testament aforesaid and thereon hath administered.

Nicholas Price Atty for Plff Plaintiff's Decl. & Pr. Rec.

Oyer of Bond & Assignment

State of Maryland Know all men by these presents that I Zachariah Maccubbin of Montgomery county and state aforesaid Gentleman

(am)

am held & firmly bound unto John Dorsey of Baltimore county and state aforesaid Merchant in the just & full sum of Three hundred and Twenty three pounds four shillings and Eight pence sterling money to be paid to the said John Dorsey his certain attorney executors administrators or assigns to which payment well & truly to be made & done I bind myself my Heirs Executors and administrators firmly by these presents sealed with my seal dated the Twenty third day of June in the year of our Lord one Thousand seven hundred & eighty five. The Condition of this Obligation is such that if the above bounden Zachariah Maccubbin his heirs executors administrators or any of them shall & do well & truly pay or cause to be paid unto the above named John Dorsey his certain attorney executors administrators or assigns the just sum of one hundred and fifty one pounds twelve shillings & four pence sterling money with legal interest for the same without any fraud or further delay then the above obligation to be void or else to be & remain in full force & virtue in Law.

Zach.h Maccubbin (Seal)

Sealed & Delivered in presence of
Thomas Gassaway

On the 18th day of July 1785 came John Dorsey before me one of the justices for Baltimore County and made Oath on the Holy Evangels of almighty God that he nor no other person for him hath received any part or parcel security or satisfaction for the annexed Bond executed by Zach.h Maccubbin on the twenty third day of June last for one hundred and fifty one pounds twelve shillings & four pence sterling money.

Peter Shepherd

I do hereby assign & transfer the annexed Bond to Nicholas Maccubbin Esq he having paid me full value for the same Witness my hand & seal this 18. July 1785.

Jno Dorsey (Seal)

Witness
Peter Shepherd

At which said second Tuesday of May being the twelfth day of the same month in the year of our Lord one Thousand seven hundred and ninety five and the day of the return of the aforegoing writ comes into the General Court here the said James Carroll surviving Executor as aforesaid by his attorney aforesaid and the Sheriff of Montgomery County to whom the said writ was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit.

Cepi Copy left 12. March Benj.a Ray Just. Sheriff.

And the said Zachariah Maccubbin by John Thomson Mason his Attorney appears in Court here and thereupon on motion of the said

(Same)