And the said Benoni Hamilton Wade by John Mackall Gantt his Attorney appears in Court here, and thereupon on the motion of the aforesaid Bryan Hampson by his Attorney aforesaid It is ruled by the Court here, that the said Benoni Hamilton Wade give special bail to the action aforesaid in the plea aforesaid; Whereupon the said Benoni Hamilton Wade by his Attorney aforesaid files in Court here the following Bail piece, to wit.

Bryan Hampson against Benoni H. Wade

You Leonard Townsand and Anthony Hardy do jointly and severally acknowledge yourselves special bail for the said Benoni H. Wade at the suit of the said Bryan Hampson in an action of Debt brought by the said Bryan Hampson against the said Benoni H. Wade in the General Court, they acknowledge themselves to be content therewith this 15th day of May 1797.

Nicks. Young.

Francis C. Dyer.

To the Honourable the Judges of the General Court

John M. Gantt is authorised to appear for Defendant.

And thereupon on the motion of the aforesaid Bryan Hampson by his Attorney aforesaid, It is ruled by the Court here, that the said Benoni Hamilton Wade answer to the declaration aforesaid of the aforesaid Bryan Hampson in the plea aforesaid or Judgment by the Court here will be entered against him in default thereof; And the said Benoni Hamilton Wade by his Attorney aforesaid defends the force and injury when and so forth; and prays leave of the Court here to Imparle until the second Tuesday of October next, and then to answer to the declaration aforesaid of the aforesaid Bryan Hampson in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Bryan Hampson also.

At which said second Tuesday of October being the tenth day of the same month, in the year of our Lord one thousand seven hundred and ninety seven, to which said day the said Benoni Hamilton Wade, had leave to Imparle and then to answer to the declaration aforesaid of the aforesaid Bryan Hampson in the plea aforesaid, come again into the General Court here as well the aforesaid Bryan Hampson by his Attorney aforesaid, as the said Benoni Hamilton Wade, by his Attorney aforesaid; And the said Benoni Hamilton Wade by his Attorney aforesaid, as before defends the force and injury when and so forth,

(and)

and prays an hearing of the Writing Obligatory aforesaid, and of the Condition thereof which are read unto him in the words following, to wit, "Know all men by these presents that I Benoni Hamilton Wade of "piscataway, prince Georges County State of Maryland, am held and "firmly bound unto Bryan Hampson of the Town of Alexandria "Fairfax County State of Virginia in the sum of Three hundred "and ninety seven pounds eleven shillings and one penny Current "Money of the State of Virginia, to be paid to the said Bryan Hampson "or to his certain Attorney Executors, Administrators or Assigns firmly "by these presents. Sealed with my Seal; dated the third day of March "in the year of our Lord one thousand seven hundred and ninety five. "The Condition of this obligation is such that if the above bounden "Benoni Hamilton Wade his heirs Executors and Administrators, or "any of them shall and do well and truly pay, or cause to be paid "unto the above mentioned Bryan Hampson or to his certain "Attorney, Executors Administrators or assigns the just and full sum "of One hundred and ninety eight pounds fifteen shillings and six "pence half penny Current Money aforesaid, or or before the third day "of March one thousand seven hundred and ninety six, without "any fraud or other delay then this obligation to be void, or else to "remain in full force and Virtue." which being read and heard the said Benoni saith that the said Bryan his action aforesaid thereof against him to have or maintain ought not, because he says that he paid to the said Bryan the sum of One hundred and ninety eight pounds fifteen shillings and six pence half penny Current money in the Condition aforesaid above specified in and upon the aforesaid third day of March in the year one thousand seven hundred and ninety six, which in and upon that day he ought to have paid according to the form and effect of the Condition aforesaid, and this he is ready to verify, wherefore he prays Judgment if the said Bryan his action aforesaid thereof against him to have or maintain ought and so forth.

And the aforesaid Bryan Hampson by his Attorney aforesaid saith, that he by any thing by the said Benoni Hamilton Wade above in pleading alledged from having or maintaining his Action aforesaid against him ought not to be precluded because he saith that the said Benoni Hamilton Wade did not pay unto him the aforesaid Bryan Hampson the said sum of One hundred and ninety eight pounds fifteen shillings and six pence half penny Current Money in the Condition aforesaid above specified in and upon the aforesaid third day of March in the

(year)