County and State aforesaid in the full and just sum of five hundred pounds Corent money to be paid unto the said Charles Stewart his certain attorney executors administrators or assigns to the which payment well and truly to be made and done we do bind ourselves our heirs executors and administrators in the whole and for the whole firmly by these presents sealed with our seals and dated this thirty first day of March anno domini one thousand seven hundred and ninety six. The Condition of the above obligation is such that if the above bound William Emmitt and William Shield do and shall well and truly pay or cause to be paid unto the said Charles Stewart his certain attorney Executors or Administrators or assigns the just and full sum of two hundred and fifty pounds in three equal annual payments to commence from the first day of December last that is to say the first payment to be made on the first day of December next, and so on annually untill the whole is discharged with legal interest for the same then the above obligation to be void else to remain in full force and virtue in Law. Which being read and heard the said William Emmitt says that the said William Stewart Executor as aforesaid his action aforesaid against him to have or maintain ought not &c. because he saith that he the said William Emmitt did pay unto the said William Stewart Executor of the said Charles Stewart 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 said Condition of the said writing obligatory, and this he is ready to verify; wherefore he prays Judgment if the said William Stewart his action aforesaid against him to have or maintain ought &c. And the said William Stewart Executor as aforesaid by his attorney aforesaid saith that he by any thing by the said William Emmitt above in pleading alledged from having and maintaining his action aforesaid against him ought not to be precluded because he saith that the said William Emmitt did not pay unto him the said sum of money in the Condition aforesaid mentioned with the Interest thereon in manner and form as the said William Emmitt

Emmitt above by pleading hath alledged, and this he prays may be enquired of by the Country, and the said William Emmitt in like manner and soforth; Therefore let a Jury thereon appear before the Court here on the second tuesday of May next by whom and so forth, and who neither and soforth, to recognize and so forth; because as well and so forth the same day is given to the parties aforesaid then and there and so forth.

And now at this day to wit, the said second Tuesday of May being the eleventh day of the said month in the year of our Lord one thousand Eight hundred and two, come again into the General Court here as well the said William Stewart Executor as aforesaid by his attorney aforesaid, as the said William Emmitt by his attorney aforesaid; and the said William Emmitt by his attorney aforesaid relinquishing the averment aforesaid above by him pretended says that he cannot deny the action aforesaid of the said William Stewart Executor as aforesaid so as aforesaid against him brought, nor but that he owes to the said William Stewart Executor as aforesaid the said sum of five hundred pounds Current money in manner and form as the said William Stewart Executor as aforesaid above against him hath declared.

Therefore it is considered by the Court here that the said William Stewart Executor of Charles Stewart recover against the said William Emmitt as well the sum of five hundred pounds Current money his debt aforesaid in form aforesaid confessed as also the quantity of Eight hundred and one pounds of Tobacco by the Court here unto the said William Stewart Executor as aforesaid on his assent adjudged for his damages which he hath sustained as well by reason of the detention of that debt as for his Costs and Charges by him about his suit in this behalf laid out and expended, and the said William Emmitt in mercy and soforth.

Memorandum. Judgment rendered in this Cause on the Eighteenth day of May in the year of our Lord one thousand Eight hundred and two for five hundred pounds Current money penally of the bond and the Costs of suit, To be released on payment of two hundred and fifty pounds Current money with Interest thereon from the thirty first day of March seventeen hundred and ninety six