mones in the words following, to wit: Know all men by these presents, that I, John Evans of John of Somerset County and State of Maryland Merchant am held and firmly bound unto John Merryman of Baltimore Town Merchant, in the full and just sum of four hundred and eighty nine pounds, eleven shillings and four pence currant money in Specie, to be paid to the said John Merryman, or to his certain Attorney, Executors, Administrators or Assigns: To 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 the twenty seventh day of December in the year of our Lord one thousand seven hundred and eighty six — The Condition of the above obligation is such, that if the above bounden John Evans, Heirs, Executors, Administrators or any of them, shall and do well and truly pay or cause to be paid unto the above mentioned John Merryman, or to his certain Attorney, Executors, Administrators or Assigns the full and just sum of two hundred and forty four pounds fifteen shillings and eight pence currant money in Gold or Silver without any fraud or delay, then this obligation to be void and of none effect, or else to remain in full force and virtue in Law —

Sealed and delivered in the presence of Benj.a Merryman jun.r } John Evans (son of John) (Seal)

A Copy of which aforegoing Declaration and Bond was made and sent with the Writ aforesd. At which said second Tuesday of September seventeen hundred and eighty nine, being the day of the return of the aforegoing Writ, came the said John Merryman by his Attorney aforesd. and the Sheriff of Somerset County, to whom the same Writ was directed likewise came and made return thereof to the Court here, thus endorsed, to wit: "Exd John Leatherbury Shff." And the said John Evans by William Hayward his Attorney, comes here into Court: Thereupon at the prayer of the said John Merryman, the said John Evans was asked to give Special Bail in the plea aforesaid: Whereupon the said John Evans by his Attorney aforesd. filed in Court here the following Bail Piece, to wit:

John Merryman a John Evans } Now George Dashiell and John Done do jointly and severally acknowledge yourselves Special Bail for the said John Evans at the suit of the said John

Merryman in an Action of Debt brought by the said John Merryman against the said John Evans in the General Court. They acknowledge themselves to be content therewith this 27th. day of August 1789 —

To the Honorable the Judges of the General Court } Geo: Waters / Wm: Stone

And the said John Merryman by his Attorney aforesd. prayed that a rule of Court be made for the said John Evans to file his plea and answer to the Declaration aforesaid of him the said John Merryman by the second Tuesday of April then next following and it was granted unto him: Thereupon further day was given as well to the said John Merryman as to the said John Evans until the second Tuesday of April then next following — At which said second Tuesday of April seventeen hundred and ninety, came again the parties aforesaid by their Attorneys aforesaid: And the said John Evans by his Attorney aforesd. defended the force and injury when and where &c. and craves oyer of the writing obligatory aforesd. and it is read to him in these words, to wit:

And he craves also oyer of the Condition of the said writing obligatory and it is read to him in these words, that is to say: —

Which being read and heard the said John Evans saith that the said John Merryman his Action aforesd. thereof against him the said John Evans to have or maintain ought not, because he saith that after making the said writing obligatory, and before the bringing of this Suit, he the said John Evans paid unto him the said John Merryman the said sum of money in the said Condition mentioned, according to the form the Statute in such Case made and provided, together with all legal Interest thereon due, to wit, on the day of in the year of our Lord seventeen hundred and at Somerset County aforesd. and this he is ready to verify; wherefore he prays Judgment if the said John Merryman his Action aforesd. against him the said John Evans to have or maintain ought &c.

And the said John Evans by his Attorney aforesd. prayed that a rule of Court might be made for the said John Merryman to file his Replication and answer to the plea aforesd. of him the said John Evans by the second Tuesday of September then next following, and it was granted unto him: Thereupon further