the day of the return of the aforegoing Writ, the Sheriff of Dorchester County aſd, to whom the same Court was directed made Return thereof to the Court here, thus endorsed, to wit, "Cepi Etc: Hodson Shff"

Whereupon came hereinto Court as well the said Solomon Birchhead by Josiah Bayly his Attorney as the said Robert Muir by William Bond Martin his Attorney, and the said Robert Muir, being ruled by the Court at the prayer of the said Solomon, to give Special Bail in the plea aſd, affixed the following Bail Piece, to wit.

"Solomon Birchhead Plaintiff against Robert Muir Defendant } You Solomon Frazier & Daniel McDonnell do jointly & severally acknowledge yourselves Special Bail for the said Robert Muir at the Suit of the said Solomon Birchhead in an Action of Debt, brought by the said Solomon Birchhead against the said Robert Muir in the General Court. They acknowledge themselves to be content therewith this first day of September 1794

To the Honⁿᵇˡᵉ the Judges of the General Court — } Before Moses Lecompte, Levin Woolford"

At the bottom of the Original Bail piece was thus written." Sir You will appear to the above Suit.

{To Bond Martin Esqr.} — Robert Muir."

And the said Solomon Birchhead by his Attorney aſd, affixed his Declaration in the plea aſd against the said Robert Muir, which ensues in manner and form following, to wit.

"Eastern Shore of Maryland } Dorchester County, to wit: Robert Muir late of Dorchester County, Gentleman, was summoned to answer unto Solomon Birchhead of a plea that he render unto him the said Solomon Birchhead the full and just sum of Two hundred and twenty seven pounds nine Shillings and two pence Current Money of Maryland which unto him he owes & from him unjustly detains and so forth. And whereupon the said Solomon by Josiah Bayly his Attorney says saith that the said Robert on the eighteenth day of August, in the year of our Lord Seventeen hundred & ninety two at the County aforesaid, by his Certain Writing Obligatory, Sealed with the seal of the said Robert & here into Court now brought the date whereof is the same day & year aſd. acknowledged himself to be held & firmly bound unto the said Solomon in the aſd full & just sum of Two hundred & twenty seven pounds nine shillings & two pence Current Money of Maryland to be paid to the said Solomon when he the said Robert afterwards should be thereunto required; Nevertheless the said Robert the said sum of money or any part thereof unto the said Solomon yet hath not paid (altho' thereto often required) but the same to him to render or pay hitherto altogether hath refused & still doth refuse to the Damage of the said Solomon three hundred pounds Current Money of Maryland & therefore he brings Suit &c.

John Doe } Pledges &c"
Richd Roe

Josiah Bayly for the Plff.

The Writing Obligatory mentioned in the Declaration aſd ensues in manner & form following, to wit.

"Know all men by these presents that I Robert Muir of Dorchester County am held & firmly bound unto Solomon Birchhead in the full & just sum of Two hundred & twenty seven pounds nine

Shillings & two pence Current Money of Maryland to be paid to the said Solomon Birchhead, or to his certain Attorney, Executor, Administrator or Assigns to which payment well and truly to be made & done I bind myself my Heirs, Executors & Administrators firmly by these presents, Sealed with my Seal, dated this eighteenth day of August in the year of our Lord One thousand Seven hundred & ninety two.

The Condition of this obligation is such that if the above bounden Robert Muir, his Heirs Executors Administrators, or any of them, shall and do well and truly pay or cause to be paid unto the above mentioned Solomon Birchhead or to his Certain Attorney Executor, Administrator or Assigns the full and just Sum of One hundred & thirteen pounds, fourteen Shillings & seven pence Current Money of Maryland with legal Interest thereon from the date hereof without any fraud or delay then this Obligation to be void, & of none effect or else to remain in force & virtue in Law. Robert Muir (Seal) Sealed & delivered in the presence of Stanley Byrn Jnr." — On the Back of said bond was then endorsed "Octᵇʳ 27 1793 Recd. the sum of Eight pounds one shilling & eight pence farthing, the Interest on the within Bond.

Solⁿ Birchhead."

And the said Robert Muir by his Attorney defended the force & injury when &c. & prayed liberty of imparling thereon until the second Tuesday of April next, & it was granted to him. The same day was also given to the said Solomon Birchhead then & so forth. At which said second Tuesday of April, Anno Domini Seventeen hundred & ninety five, here came again into Court the parties aſd, by their Attorneys aſd, whereupon at the prayer of the said Solomon by his Attorney it was ruled by the Court, that the said Robert Muir should file his plea in answer to the Declaration aſd, by the second Tuesday of September then next ensuing, according to a rule of this Court in such cases to be observed, or that Judgment should be default &c. The same day was given to the said Solomon then & so forth. Afterwards, to wit, on the 11ᵗʰ day of July Anno Domini 1795 the said Robert by his Attorney in compliance with the aſd rule of Court affixed the following Plea viz.

"Robert Muir } Debt nac &c. And the aforesaid Robert by William B. Martin his Attorney
to
Solomon Birchhead } comes & defends the force & injury when &c. & prays an hearing of the Writing Obligatory aforesaid & it is read to him in these words: (Here insert the Bond) he likewise prays an hearing of the Condition of the said Writing & it is read to him in these words: (Here insert the Condition) to which being severally read & heard the said Robert saith, that the said Solomon ought not to have or maintain his Action aforesaid thereof against him, because he saith that after making the said Writing Obligatory, to wit, on the day of in the year one thousand Seven hundred and at Dorchester County aforesaid, he the said Robert paid to the said Solomon all the principal Money in the Condition of the said Writing Obligatory mentioned, together with all the interest due thereon And this he is ready to verify: Therefore he prays Judgment whether the said Solomon ought to have or maintain his Action aforesaid thereof against him the said Robert.

William B. Martin Attᵧ for Deft."

And now at this day, to wit, the said second Tuesday of September in the year of our Lord, One thousand Seven hundred & ninety five, here came again into Court the Parties aſd, by their Attorneys