said John Price and wife, or to the said Benjamin Elliott, by the court here until the second Tuesday in April then next following, At which said second Tuesday in April, to wit, in the year Fourteen hundred and ninety four, here came again, as well the said John Price & wife, as the said Benjamin Elliott, by their attorneys aforesaid, and the said John Price & wife by their said attorney affirm their Declaration in the plea aforesaid against the said Benjamin Elliott, in manner and form following, to wit,

Eastern Shore State of Maryland, } Benjamin Elliott, late of Queen Anns County, yeoman
Queen Anns County, to wit, } Otherwise called Benjamin Elliott, of Queen Anns County, Farmer was summoned to answer unto John Price and Elizabeth his wife, lately called Elizabeth Elliott, of a plea that he render unto them the sum of One hundred and ninety one pounds nineteen Shillings and eight pence current money, which to them he owes and from them unjustly detains and so forth, And whereupon the said John Price, and Elizabeth Price, by William Hemsley Junior, their attorney say that whereas the said Benjamin Elliott, on the twentieth day of January in the year one thousand seven hundred and ninety two, at Queen Anns County aforesaid, by his certain Writing Obligatory acknowledged himself to be held and firmly bound unto the said Elizabeth Price, while she was sole by the name of Elizabeth Elliott, in the aforesaid sum of one hundred and ninety one pounds nineteen Shillings and eight pence current money to be paid to the said Elizabeth when afterwards he the said Benjamin should thereto be required, Nevertheless the said Benjamin Elliott, the aforesaid sum of current money to the said Elizabeth while she was sole or to the said John and Elizabeth after the marriage between them celebrated (to the same thereto required) hath not rendered or paid, but hath hitherto altogether refused, and still doth refuse to render the same to the said John and Elizabeth to the Damage of them the said John and Elizabeth in the same, of five hundred pounds current money and thereof they bring suit and so forth, and bring here into Court the writing Obligatory aforesaid sealed with the seal of the said Benjamin Elliott, which the debt aforesaid, in form aforesaid testifies the date whereof is the day and year aforesaid and so forth, Mr. Hemsley Junr. for the plffs. Pledges &c. John Doe & Richd. Roe.

The writing Obligatory mentioned in the aforegoing Declaration recites as follows, to wit,

Know all men by these presents that we Hewit Smyth and Benjamin Elliott of Queen Anns County farmers are held and firmly bound unto Elizabeth Elliott of the same place, her Executors Administrators or assigns, in the full and lawful sum of One hundred and ninety one pounds nineteen Shillings and eight pence Current money, Gold or Silver to be paid unto the said Elizabeth Elliott, her Certain attorney Executors Administrators or assigns, to the which payment well and truly to be made and done, we bind Ourselves and each of us Our and each of our heirs executors and Administrators, in the whole and for the whole Jointly and Severally by these presents Sealed with our seals and dated this twentieth day of February anno Domini 1792. The Condition of the above Obligation is such that if the above bounden Hewit Smyth his heirs Executors or

Administrators, do well and truly pay or cause to be paid unto the said Elizabeth Elliott, her Certain attorney Executors Administrators or assigns the sum or sum of ninety five pounds nineteen Shillings and eight pence half penny on or before the first day of November next with legal Interest thereon then the above Obligation to be void, else to remain in full force and virtue in Law,

Signed, Sealed and Delivered } Hewit his mark Smyth (Seal)
In the presence of - - - - }
Jonathan Warner, } Benjn. Elliott (Seal)

On the Original Bond was thus endorsed to wit,

Queen Anns County, January 10th 1793. Then appeared John Price before me the subscriber one of the Justices of the peace for said County, and made Oath on the holy evangels of almighty God that the within Bond hath not been paid nor any part or parcel thereof, or satisfaction received for the same to the best of his knowledge, sworn before me. Thos. Deane of

January 10th 1793. I do hereby assign all my right title Claim and Interest of the within bond to James Hunt of Queen Anns County Merchant, as witness my hand and seal.
In presence of
Christn. Cox Junr. } John Price (Seal)

and the said John Price and wife by their attorney aforesaid, prayed that the said Benjamin Elliott might be ruled to file his plea in answer to the Declaration of them the said John Price & wife on or before the second Tuesday in September then next, or that Judgment or default thereof against the said Benjamin Elliott, might be entered and it was granted unto him; the same day was given to the said John Price & wife then &c.

And now here on this day to wit, the second Tuesday in September in the year of our Lord one thousand seven hundred and ninety four, here came again the parties aforesaid, by their attorneys aforesaid and the said Benjamin Elliott, by his attorney aforesaid, offered his plea in answer to the Declaration of them the said John Price & wife, in manner & form following, to wit,

Benjamin Elliott } And the aforesaid Benjamin by Robert Wright his attorney comes and defends the force and injury
vs. }
John Price & Elizabeth his wife. } when &c. and prays a hearing of the writing Obligatory aforesaid and he hath it, and he also prays a hearing of the condition of the said writing Obligatory and he hath it in these words following, to wit, which being read and heard the said Benjamin saith that the aforesaid his action aforesaid thereof against him to have and maintain Ought not because he saith that the said Benjamin after the making the writing Obligatory aforesaid before the imputation of the Original and of them the said John and his wife, to wit, on the first day of October in the year One thousand seven hundred and ninety two, paid to the said John and his wife, the aforesaid sum of One hundred and ninety one pounds nineteen shillings and eight pence current money in the same Condition above mentioned, with legal Interest in the same according to the form and effect of the aforesaid Condition, to wit, at Queen Anns County aforesaid