writ. At which said second Tuesday in September term, in the year of our Lord one thousand eight hundred and ninety three, being the day further return of the aforesaid writ here came the said Henry Hooper Pltff by Thomas James Bullitt, his attorney, and Richard Johns Sheriff of the County aforesaid to the Court here made return that he had taken the body of the said Daniel P. Fox, and the same has ready at the day and place aforesaid according to the exigence of the said writ, and the said Daniel P. Fox by Nicholas Hammond his attorney came here into Court and thereupon the said Daniel P. Fox, at the prayer of the said Henry Hooper Pltff by his attorney aforesaid, was held to gaol special bail in the plea aforesaid, whereupon George Robins Hayward of Talbot County Gentleman, came here into Court before the Judges aforesaid in his proper person and became pledge and mainprize for the aforesaid Daniel P. Fox, that if it should happen that Judgment by the Court here for the aforesaid Henry Hooper Pltff in the plea aforesaid against the said Daniel P. Fox, should be rendered, then the same George Robins Hayward and granted that as well the debt aforesaid, as all such damages costs and charges which unto the said Henry Hooper Pltff in this part should by the Court be adjudged of his lands and Chattels should be made and to the use of the said Henry Hooper Pltff levied if it should happen that the said Daniel P. Fox, the Debt damages costs and charges unto the said Henry Hooper Pltff should not pay, his Body in Execution of such Judgment to the Public Prison of Talbot County aforesaid, by that Occasion should not render, and thereupon day was given as well to the said Henry Hooper Pltff as to the said Daniel P. Fox by the Court here until the same Tuesday in April then next following. At which said second Tuesday in April term in the year of our Lord one thousand eight hundred and ninety four, here came again as well the said Henry Hooper Pltff as the said Daniel P. Fox by their attorneys aforesaid, and the said Henry Hooper Pltff by his attorney aforesaid offered his Declaration in the plea aforesaid against the said Daniel P. Fox in manner and form following to wit, Eastern Shore of Maryland Talbot County, to wit, Daniel Powell Fox, late of Talbot County Gentleman was summoned to answer unto Henry Hooper Pltff in the full and sum of seven hundred pounds Gold and Silver current money of Maryland, which to him he owes, and from him unjustly detains, and so forth, And whereupon the same Henry Hooper Pltff by Thomas James Bullitt, his attorney says that the same Daniel Powell Fox, on the nineteenth day of April in the year of our Lord one thousand seven hundred and ninety one at the County aforesaid, by his certain writing Obligatory, sealed with his seal and here into Court now brought, the date whereof is the same day and year aforesaid, acknowledged himself to be held and firmly bound unto the same Henry Hooper in the aforesaid sum of seven hundred pounds current money Gold and Silver money of Maryland as it then passed by law in Maryland, to be paid unto the same Henry Hooper his heirs or assigns when he should be thereto required, To the payment whereof well and truly to be made and done the same Daniel Powell Fox bound himself his heirs executors and Administrators firmly by the same writing Obligatory, And the said Daniel Powell Fox, all the time after required, the sum of money, or any part thereof hath not rendered or paid unto the same Henry Hooper but the same sum of money or any part thereof to render or pay hitherto altogether hath refused, and still doth refuse to the Damage of the said Henry Hooper One thousand pounds current money of Maryland,

and therefore he brings this suit &c.

Thomas James Bullitt, for Pltff } Plaeas &c } Solm Dor & Richard Roe.

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

Maryland to wit, Know all men by these presents that we Daniel Powell Fox, and Peter Webb of Talbot County Gentlemen, are held and firmly bound unto Henry Hooper Pltff of Dorchester County, in the full and sum of seven hundred pounds current money Gold and Silver money as it now passes by law in Maryland, to be paid to the same Henry his certain attorney Executors or Assigns, to the payment whereof well and truly to be made to be done, we bind ourselves our heirs executors and Administrators Jointly and severally firmly by these presents Sealed with our seals and Dated this nineteenth day of April seventeen hundred ninety one, The Condition of the above Obligation is such that if the above bound Daniel Powell Fox, his heirs executors, or Administrators do and shall well and truly pay or cause to be paid to the same Henry Hooper his executors Administrators or assigns the full and sum of three hundred and thirty pounds eighteen shillings current money of Maryland, in Gold or silver (within twelve months from the date hereof) at their present legal current value with legal Interest to the same then the said Bond to be void else to be in full force Virtue and power in law.

Signed Sealed & Delivered } Daniel P. Fox (Seal)
In presence of - - - - } Peter Webb, - - (Seal)
Thos. Tibbels, Thos. J. Bullitt,

On the Back of the Original Bond was then endorsed to wit,

Received 29th Nov. 1792 of Mr. Daniel Powell Fox (by the hands of Scott Esquire,) the sum of nineteen pounds seventeen shillings, for one years Interest on the within Bond. And the said Henry Hooper, by his attorney aforesaid, prayed that the said Daniel Powell Fox might be ruled to file his plea in answer to the Declaration of him the said Henry Hooper, on or before the second Tuesday in September then next or that Judgment on default thereof against the said Daniel Powell Fox, might be rendered, and it was granted unto him the same day was given to the said Henry Hooper there &c.

And now here on this day to wit, the second Tuesday in September in the year seventeen hundred and ninety four, here came again, the parties aforesaid, by their attorneys aforesaid and the said Daniel Powell Fox, by his attorney aforesaid, offered his plea in answer to the Declaration aforesaid of him the said Henry Hooper, in manner & form following to wit,

Daniel P. Fox } Nor Obligt. &c. And the aforesaid Daniel P. Fox by Nicholas Hammond his attorney, comes and defends the wrong and injury when
ats.
Henry Hooper. } &c. and prays a hearing of the writing Obligatory aforesaid in the declaration aforesaid mentioned, and it is read to him in these words. We likewise prays a hearing of the condition of the said writing Obligatory and it is read to him in these words, which being duly heard and read the said Daniel saith that the said Henry Hooper his action aforesaid thereof against him to have or maintain ought not because he saith that after the making of the said writing Obligatory and before the day of the