James Pearce, exr of Samuel Wallis against **William Rasin and Joseph Rasin**

Be it remembered, that James Pearce, the plaintiff in this cause by James Houston his Attorney presented, and sued forth out of the General Court here, the writ of the State of Maryland of Capias ad respondendum, the tenor whereof, answer as follows, to wit.—

The State of Maryland to the Sheriff of Kent County, Greeting. We command you that you take William Rasin and Joseph Rasin late of Kent County, if they shall be found in your Bailiwick and them safe keep, so that you have their bodies before the Judges of our General Court, to be held at Easton in Talbot County, the second Tuesday of April next, to answer unto James Pearce of a plea that he render unto him, the sum of six hundred and twenty six pounds nine shillings and eight pence current money of Maryland, which to him they owe and from him they unjustly detain &c. Hereof fail not at your peril and have you then and there this writ. Witness the Honorable Robert Goldsborough Esquire chief Judge of our said Court the 12th day of September anno domini 1797. Issued the 2. day of March 1798.

Wm. James Earle junior Clerk—

At which mentioned second Tuesday of April seventeen hundred and ninety eight, comes into the General Court here the said James Pearce by his Attorney aforesaid, and the Sheriff of Kent County, to whom the said writ was in form aforesaid directed makes return thereof to the Court here this endorsement to wit.— "Cepi Corpora" Wm Hatchin Sheriff Kent County" And the said William Rasin & Joseph being called appear in Court here by James Scott their Attorney; and thereupon on motion of the said James Pearce by his Attorney aforesaid it is ordered by the Court here that the said William & Joseph Rasin give Special Bail in the plea aforesaid: whereupon the said William & Joseph file in Court here a certain Bail piece, the tenor whereof answer as follows, to wit.—

James Pearce, Plaintiff, against William Rasin & Joseph Rasin, Defendants

We Ebenezer Sanders & Thomas Kennedy do jointly and severally acknowledge ourselves Special bail for the said William Rasin & Joseph Rasin in an action of Debt, brought by the said James Pearce against the said William Rasin & Joseph Rasin with the General Court before John Comegys, John Thomas

March the 15th 1798

To the honble the Judges of the General Court—

And the said William & Joseph Rasin by their Attorney aforesaid, defend the force and injury when &c, and pray leave of the Court here to imparle, until the second Tuesday of September next, and they have it, the same day is given to the said James Pearce, then &c. At which mentioned second Tuesday in September seventeen hundred and ninety eight, comes again into the General Court here the parties aforesaid, by their Attorneys aforesaid, and the said James Pearce by his said Attorney, files his Declaration, against the said William Rasin & Joseph Rasin in the plea aforesaid, and complains thereof against them in the following words, to wit—

Eastern Shore of Maryland, Kent County, to wit. William Rasin & Joseph Rasin late of this County were summoned to answer unto James Pearce of a plea that they render unto him the sum of six hundred and twenty six pounds nine shillings and eight pence current money of Maryland, which to him they owe and from him they unjustly detain &c.

And whereupon the said James Pearce by James Houston his Attorney, complains that whereas the said William Rasin and Joseph Rasin, on the twenty second day of December, in the year one thousand seven hundred and ninety four, at Kent County aforesaid by his certain writing obligatory sealed with the seal of the said William and Joseph, and to the Court now here shewn, the date whereof is on the day and year aforesaid, acknowledged himself to be held and firmly bounden to the said James Pearce, in the aforesaid sum of six hundred and twenty six pounds nine shillings and eight pence, to be paid to the said James Pearce, when they the said William & Joseph, should be thereto afterwards requested. By the said William & Joseph, all the aforesaid sum of money to the said James Pearce hath not rendered or paid, but the same to him hitherto to render or pay, they have altogether refused and still do refuse to pay the same to the said James Pearce to his damage of twenty pounds current money and therefore he brings suit &c. — James Houston for pltff — pleads &c. John Doe & Richd Roe.—

Over of Bond and Condition is as follows, to wit.—

Know all men by these presents that we William Rasin and Joseph Rasin of Kent County and State of Maryland, Gentlemen, are held and firmly bounden, unto James Pearce of Kent County and State aforesaid, in the full and just sum of six hundred and twenty, nine shillings and eight pence specie, to be paid to the said James Pearce or his certain Attorney Heirs, Executors, Administrators or Assigns: to the which payment, to be well and truly made and done, we do hereby bind ourselves and each of our Heirs, Executors and Administrators and every of them, for and in the whole, firmly by these presents. Sealed with our seals and dated this twenty second day of December one thousand seven hundred and ninety four. The condition of the above Obligation is such, that if the above bound Joseph Rasin and William Rasin, or either of them, or either of their Heirs, Executors or Administrators, do and shall well and truly pay or cause to be paid, unto the above - said James Pearce, or his Heirs Executors, Administrators or Assigns the full and just sum of three hundred and thirteen pounds four shillings and tenpence money aforesaid, to be paid on or before the first day of January seventeen hundred and ninety five, with legal Interest from the date hereof; then the above Obligation to be void & null otherwise to be in full force and virtue in law.

Wm. Rasin (Seal)
Joseph Rasin (Seal)

Signed, sealed and delivered, in the presence of
Eben. Sanders. Saml Davis

On the back of the aforegoing Bond was the following Endorsement, viz.
I do hereby promise and oblige myself that in case the within bound William Rasin or Joseph Rasin or either of them do and shall punctually pay up the Interest on the within Bond annually as it becomes due, that in that case I will not demand principal of them under three years from the date within Bond. As witness my hand, December the 22d 1794. — Wm Wilson —

James Pearce —

Oct. 10th November 1798. Rec. £18 15 10½ for Interest to the 22 Dec. 1797.
Dec. 19th 1796. Rec. £18 15 10½ for Int. to 22 Dec. 1796.

James Pearce —

And the said James Pearce by his attorney prays that the said William and Joseph Rasin may answer to the Declaration aforesaid; whereupon it is ordered by the Court here that the said