Cepi. Copy left the 13th September 1793. James Simms Dft

And the said Henry Cookesey by John Campbell his Attorney appears in Court here and thereupon on motion of the said Francis Hamersley by his Attorney aforesaid It is ruled by the Court here that the said Henry Cookesey answer to the declaration aforesaid of the said Francis Hamersley in the plea aforesaid; or Judgment by the Court here will be given and entered against him in default thereof: and the said Henry Cookesey by his Attorney aforesaid defends the force and injury when and so forth: and prays leave of the Court here to imparle until the second tuesday of may next: and then to answer to the declaration aforesaid of the said Francis Hamersley in the plea aforesaid: and to him it is granted the same day is given to the said Francis Hamersley also. At which said second tuesday of may being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and ninety four until which said day the said Henry Cookesey had leave to imparle and then to answer. come again into the General Court here as well the said Francis Hamersley by his Attorney aforesaid as the said Henry Cookesey by his Attorney aforesaid: And the said Henry Cookesey by his Attorney aforesaid: as before. defends the force and injury when and so forth. and saith that he did not assume and undertake in manner and form as the said Francis Hamersley above against him hath complained. and of this he puts himself upon the Country. and so forth. and the said Francis Hamersley in like manner and so forth. Therefore let a Jury thereon appear before the Court here on the second tuesday of October next by whom and so forth. and who neither and so forth. to recognize and so forth. because as well and so forth the same day is given to the parties aforesaid then and there and so forth.

And now. at this day to wit, the said second tuesday of October being the fourteenth day of the same month in the year of our lord one thousand seven hundred and ninety four. come again into the General Court here as well the said Francis Hamersley by his Attorney aforesaid. as the said Henry Cookesey by his Attorney aforesaid: and the said Francis Hamersley by his Attorney aforesaid. files in Court here a note of settlement: a copy whereof is in form following to wit

I have this day settled with Francis Hamersley and acknowledged to stand indebted to said Hamersley the quantity of Nine thousand four hundred & sixty three pounds crop Tobacco. five pounds four shillings current money, for which I agree to pay interest on from the date hereof. Witness my hand this first day of May Seventeen hundred & ninety two. Henry Cookesey

I agree that I also owe to the said Hamersley one hundred and seventy five pounds depreciation certificas with interest from 1st Augt 1790 Henry Cookesey

Thereupon the said Henry Cookesey by his Attorney aforesaid relinquisheth the averment aforesaid above by him pretended and saith, that he cannot deny the action aforesaid of the said Francis Hamersley as aforesaid against him brought. nor but that he did assume and undertake in manner and form as the said Francis Hamersley above against him hath complained, nor likewise but that the said Francis Hamersley hath sustained damage by reason of the non performance of the premise and assumption aforesaid to the sum of five hundred pounds current money as the said Francis Hamersley above against him hath also complained. Therefore it is considered by the Court here that the said Francis Hamersley do recover against the said Henry Cookesey as well the sum of five hundred pounds current money, the damages aforesaid in form aforesaid confessed. as the quantity of seven hundred and nineteen pounds of tobacco. by the Court here adjudged him the said Francis Hamersley (with his consent) for the costs and charges by him sustained about his suit in this behalf laid out and expended: and the said Henry Cookesey in mercy &c.

Memorandum. on the twenty seventh day of October in the year of our lord one thousand seven hundred and ninety four, Judgment was rendered in this cause for the damages in the declaration and costs. subject to the terms of Judgment filed; a copy whereof is in form following to wit: — Judgment for damages in the declaration and costs; to be released on payment of one hundred and seventy five pounds depreciation certificates with interest from 1st of August 1790 till paid and costs. stay of execution to 1st April 1795. all errors in the pleadings by consent released.

Philip B. Key for Dft
J. Campbell Clk

Test John Gwinn Clk

Afterwards to wit, on the ninth day of august in the year of our lord one thousand seven hundred and ninety eight. the said Henry Cookesey by his Attorney aforesaid produced the writ of the state of Maryland of error. directed to the Judges of the General Court in form following to wit:

Maryland Sc. The State of Maryland to the honorable the Judges of the General Court greeting. because in the record and proofs and also in the rendering of Judgment on a certain action brought by Francis Hamersley against Henry Cookesey for the sum of five hundred pounds current money and costs to be released on payment of one hundred and seventy five pounds depreciation certificates with interest from the first day of august seventeen hundred and eighty, and the further sum of seven hundred and nineteen pounds of tobacco costs of suit, at a General