after date for value received the sum of four hundred and forty dollars
Nevertheless the aforesaid Jacob the said sum of four hundred and forty
dollars or any part thereof to the said Philip hath not satisfied or paid
although so to do the said Jacob afterwards to wit on the eighth day of
April in the year of our Lord one thousand eight hundred and twenty
and often afterwards at the County aforesaid was requested but the same
or any part thereof to the said Philip to render or pay hath altogether
refused and still doth refuse wherefore the said Philip is the worse
and hath damage to the value of one thousand dollars current
money of the United States and so he brings his suit &c and brings
here into court the writing obligatory aforesaid sealed with the seal
of the said Jacob B Mong which the debt aforesaid witnesseth &c
whose date is the day and year first aforesaid.

D. G. Yost attorney for plaintiff.

Copy of the note mentioned in the aforegoing declaration here follows to wit.
Washington County April 1st 1820 Six days after date I promise to pay
Philip Binkley or order the sum of four hundred and forty dollars
for value received my hand and seal witness

Jacob B Mong (Seal)

And thereupon on motion of the said Philip Binkley by his attorney
aforesaid it is ruled by the Court here that the said Jacob B Mong
answer to the declaration aforesaid of the said Philip in the plea aforesaid
or judgment of the Court here will be entered against him in default
thereof and the said Jacob by his attorney aforesaid prays leave of the
Court here to imparle until the fourth monday of March next and then
to answer to the declaration aforesaid of the said Philip in the plea
aforesaid and he hath it the same day is given to the said Philip Binkley
then and forthwith.

And now at this term to wit the fourth monday of March
being the twenty fifth day of the same month in the year of our Lord one
thousand eight hundred and twenty two comes again into Court here
as well the said Philip Binkley as the said Jacob B Mong by their
attornies aforesaid and the said Jacob B Mong by his said attorney
answers to the said declaration and defends the force and injury when
and forthwith. and saith that he cannot deny the said action of the said
Philip Binkley so as aforesaid against him brought nor but that he
owes to the aforesaid Philip the aforesaid sum of four hundred and
forty dollars current money in such manner and form as the aforesaid
Philip above against him hath complained nor but that the aforesaid
Philip hath sustained damage by reason of the detention of the debt aforesaid

to the aforesaid sum of one thousand dollars current money in like manner and
form as the aforesaid Philip within against him hath complained besides his
costs and charges by him about his suit in this behalf laid out and expended
and forthwith and hereupon the aforesaid Philip by his attorney aforesaid prays
judgment for his debt aforesaid so as aforesaid confessed together with his damages
so as aforesaid acknowledged as also for his costs and charges by him about his suit
in this behalf laid out and expended to him to be adjudged and forthwith. Therefore
it is considered by the Court here that the said Philip Binkley recover against
the said Jacob B Mong as well the said sum of four hundred and forty dollars
current money his debt aforesaid in form aforesaid confessed as the said sum of
one thousand dollars current money his damages aforesaid acknowledged to be
sustained by reason of the detention of the said debt as also the sum of nine
dollars and forty three cents by the Court here unto the said Philip Binkley
on his agreed adjudged for his costs and charges by him about his suit in this
behalf laid out and expended and the aforesaid Jacob B Mong in mercy and
so forth.

Memorandum. Judgment was rendered in this cause on the twenty seventh
day of March in the year of our Lord one thousand eight hundred and
twenty two for four hundred and forty dollars debt and one thousand
dollars damages and costs. and the plaintiff agreed to release the damages
on payment of the interest on the debt from the seventh day of april 1820
till paid and costs.

And whereupon the said Jacob B Mong by his attorney aforesaid prays
that he may appeal from the judgment aforesaid of the Court here so as aforesaid
against him rendered to the Court of appeals for the Western Shore of the State
of Maryland and to him the same is granted by the Court here. Whereupon the
said Jacob B Mong exhibiteth to the Court here an appeal bond entered into
by himself and two securities which by the Court here are approved of the
tenor whereof ensueth in the following words to wit.

Know all men by these presents that we Jacob B Mong Henry Lowry
and William Webb all of Washington County and State of Maryland are held
and firmly bound unto Philip Binkley of the same County and State in the full
and just sum of fourteen hundred dollars current money to be paid to the
said Philip Binkley or to his certain attorney his executors administrators
or assigns to which payment well and truly to be made we bind ourselves
and every of us our and every of our heirs executors and administrators
jointly and severally firmly by these presents sealed with our seals and
dated this 10th day of april in the year of our Lord eighteen hundred and twenty two
Whereas at a County Court begun and held at Hagers Town in and for the
County aforesaid on the fourth monday of March in the year of our Lord
eighteen hundred and twenty two the above named Philip Binkley by
judgment of the said Court recovered against the above named Jacob