county aforesaid; And whereas the aforesaid Gavin Hamilton Smith afterwards towit on the day and year aforesaid at the county aforesaid was indebted unto the said James De Drusina, Julius Conrad Ridder and James Clerke in one other sum of sixty three pounds nine shillings and seven pence sterling money for the like sum of sterling money before that time there lent and advanced by the said James De Drusina, Julius Conrad Ridder and James Clerke to the said Gavin Hamilton Smith at his special instance and request and being so indebted the said Gavin Hamilton Smith afterwards towit on the day and year aforesaid at the county aforesaid in consideration thereof upon himself afsumed, and to the said James De Drusina, Julius Conrad Ridder and James Clerke then and there faithfully promised, that he the said Gavin Hamilton Smith the sum of sterling money last mentioned when afterwards he should be thereunto required to them the said James De Drusina, Julius Conrad Ridder and James Clerke would well and truely content and pay, And the said James De Drusina, Julius Conrad Ridder and James Clerke in fact say, that the sum of sterling money last mentioned was at the time of making the same last mentioned promise and afsumption and always since hath been and still is of the value of one other sum of one hundred and five pounds fifteen shillings and eleven pence halfpenny currentmoney towit at the county aforesaid, Nevertheless the said Gavin Hamilton Smith his several promises and afsumptions aforesaid so as aforesaid made not regarding but minding and fraudulently intending them the said James De Drusina, Julius Conrad Ridder and James Clerke in this behalf craftily and subtilly to deceive and defraud the said several sums of sterling money or either of them or any part of either of them or the value thereof as aforesaid or any part of the value of either of them to the said James De Drusina, Julius Conrad Ridder, and James Clerke or to either of them hath not contented or paid (altho' so to do the said Gavin Hamilton Smith was afterwards towit on the day and year aforesaid at the county aforesaid and often afterwards at the county aforesaid by them the said James De Drusina, Julius Conrad Ridder and James Clerke requested) but the said several sums of sterling money or any part thereof or the value thereof as aforesaid or any part of the value thereof to the said James De Drusina, Julius Conrad Ridder, and James Clerke or to either of them to content or pay the said Gavin Hamilton Smith hath hitherto altogether refused and still doth refuse wherefore the said James De Drusina Julius Conrad Ridder and James Clerke say they are the worse and have damage to the value of two hundred pounds currentmoney and therefore they bring suit andsoforth

William Cooke for Plaintiff

Pledges andsoforth { John Doe and Richard Roe.

A Copy of the account, in the Declaration aforesaid ~~mentioned~~ is as follows towit

D.r Wm. Gavin Hamilton Smith, in a/c wth. De Drusina, Ridder, & Clerke Cr.

			£	s.	d.				£	s.	d.
1786. Oct.r	1	To goods p pract. & Plenty	22	18		1786. Oct.r	3	By pro. 3 Hd.s tob.o p Eglinton	16	13	11
1786. May	20	To his Bill May 1st to R.A. Fendall	12			1786. Jun.	30	By pro. 1 d.o p Peggy Fendall	6	9	8
July	31	To postage			5	July	31	By Ballance	41	16	10
		£	66	18	5			£	66	18	5
		To Ballance	41	16	10	Dec.r	30	By pro. 3 Hd.s tob.o p Catherine	13	15	3
Oct.r	3	To your Bill for R.A. Fendall	36	11		1787. June	30	By Ballance	65	19	10
1787. June	30	To interest	2	10	3						
		£	79	18	1			£	79	18	1

A Copy

A Copy of which aforegoing Declaration and Account was made and sent with the writ which is said in the plea aforesaid.

At which said second tuesday of May towit. the thirteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, being the day of the return of the aforegoing writ, come here into our General Court, the said James De Drusina, Julius Conrad Ridder and James Clerke by their attorney aforesaid. and the sheriff of Calvert county to whom the same writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed towit

Cepi, copy left 23d. March 1788. W. Allein Sheriff

And the said Gavin Hamilton Smith being called upon appear, and at the prayer of the said James De Drusina, Julius Conrad Ridder and James Clerke by their attorney aforesaid, the said Gavin Hamilton Smith is adjudged to give special bail to the action aforesaid Whereupon the said Gavin Hamilton Smith by William Hilly his attorney files in Court here the following Bail piece towit

James De Drusina
Julius Conrad Ridder
and James Clerke.
a
Gavin Hamilton Smith

You David S. Weems and Sutton Isaac Weems do jointly and severally acknowledge yourselves special bail for the said Gavin Hamilton Smith at the suit of the said James De Drusina Julius Conrad Ridder and James Clerke in an action on the case brought by the said James De Drusina, Julius Conrad Ridder and James Clerke in the General Court. They acknowledge themselves to be content therewith this 17th. day of May seventeen hundred and eighty eight,

To the honorable the Judges of the General Court. Before Jo.s Wilkinson Chas. Grahame.

I hereby empower William Hilly Esquire to appear for me in the above suit

Gavin Ham.n Smith –

And the said Gavin Hamilton Smith by his attorney aforesaid, defends the force and injury when andsoforth, and prays leave of the Court to imparle hereunto until next Court, and he hath it, and the same day is given to the said James De Drusina, Julius Conrad Ridder and James Clerke also.

At which said next Court, towit, the second tuesday of October being the fourteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, come again here into our General Court, as well the said James De Drusina, Julius Conrad Ridder and James Clerke by their attorney aforesaid, as the said Gavin Hamilton Smith by his attorney aforesaid. – And the said Gavin Hamilton Smith by his attorney aforesaid as before defends the force and injury when andsoforth, and saith, that he did not afsume upon himself in such manner andform, as the said James De Drusina, Julius Conrad Ridder and James Clerke above against him have declared, and of this he puts himself upon the Country, and the said James De Drusina, Julius Conrad Ridder and James Clerke in like manner andsoforth.

Therefore let a Jury thereon come before the Judges of our General Court here on the second tuesday of May next, by whom andsoforth, and who neither andsoforth, to recognize andsoforth, because as well andsoforth, the same day is given to the said Parties then and there andsoforth. –

And