Harrison Esquire Chief Judge of our said Court the 26th day of June anno domini 1789.
Issued the 22d day of September 1789. Jno. Guerin Clk.
A Robinson

And the aforesaid John Nixon and Alexander Foster by Archibald Robinson their attorney aforesaid declared against the aforesaid John Hackett in the plea aforesaid as follows to wit.

Western Shore of Maryland. Baltimore County to wit

John Hackett late of Baltimore County merchant was attached to answer John Nixon and Alexander Foster of a plea of trespass on the Case andsoforth.

And whereupon the said John Nixon and Alexander Foster by Archibald Robinson their attorney complain that whereas the aforesaid John Hackett on the twenty ninth day of October in the year of our Lord one thousand seven hundred and eighty eight at Baltimore County aforesaid made his certain note in writing commonlly Called a promissory note subscribed with his own proper hand writing bearing date the same day and year aforesaid and then and there delivered the said note to certain Peter Whiteside and Richard Caton by the name and title of Messieurs Whiteside and Caton or their order six months after the date of the said promissory note the sum of one hundred and twenty seven pounds fourteen shillings and two pence current money of Maryland for value received and the said Peter Whitesides and Richard Caton to whom or to whose order the payment of the said sum of money contained in the said was to be made afterwards and before the payment of the said sum of money contained in the said note or of any part thereof and also before the time appointed by the said note for the payment thereof to wit on the same day and year aforesaid at the County aforesaid indorsed the said note their own proper hand writing being thereto subscribed and by that Indorsement appointed the Contents of the said note to be paid to the aforesaid John Nixon and Alexander Foster by the name of Messieurs Nixon and Foster and then and there delivered the said note so indorsed to the said John Nixon and Alexander Foster whereof the said John Hackett afterwards to wit on the same day and year aforesaid at the County aforesaid had notice by reason of

of which premises and by force of the statute in such cases made and provided the said John Hackett became liable to pay to the said John Nixon and Alexander Foster the said sum of money contained in the said note according to the tenor and effect of the said note and the Indorsement so made thereon as aforesaid, And whereas the said John Hackett afterwards to wit on the same day and year aforesaid at the County aforesaid was indebted unto the said John Nixon and Alexander Foster in the sum of other one hundred and twenty seven pounds fourteen shillings and two pence Current money aforesaid for money by the said John Hacket before that time had and received to and for the use of the said John Nixon and Alexander Foster and being so indebted he the said John Hackett in Consideration thereof afterwards to wit on the same day and year aforesaid at the County aforesaid understood and faithfully promised the said John Nixon and Alexander Foster to pay them the said last mentioned sum of money when he the said John Hackett should be afterwards thereto required,

Nevertheless the said John Hackett his said several promises and undertakings so by him made in his behalf as aforesaid not regarding but contriving and fraudulently intending craftilly and subtilly to deceive and defraud the said John Nixon and Alexander Foster in this behalf hath not as yet paid the aforesaid several sums of money or any part thereof to the said John Nixon and Alexander Foster or to either of them (altho to do the same the said John Hacket by the said John Nixon and Alexander Foster on the first day of May in the year seventeen hundred and eighty nine and often afterwards at the County aforesaid was requested) but the same or any part thereof to the said John Nixon and Alexander Foster or to either of them to pay he the said John Hacket hitherto hath refused and still doth refuse to the damage of the said John Nixon and Alexander Foster in the sum of three hundred pounds Current money of Maryland and therefore they bring suit and soforth.

Archd. Robinson Atty for Pltffs — pledges to prosecute } John Doe, and Richd. Roe.

(Copy of the note)

Baltimore 29th October 1788.

Six months after date I promise to pay Messrs. Whitesides and Caton or order one hundred and twenty seven pounds fourteen shillings and