Sim and Patrick Sim Smith as well the sume of fifteen hundred pounds current money his damages aforesaid in form aforesaid confessed to be sustained by occasion of the non performance of the promise and asumption aforesaid as also the quantity of eight hundred and forty eight pounds of tobacco by the court here unto the said Charles Wallace, Joshua Johnson and John Muir on their afsent adjudged for their costs and charges by them about their suit in this behalf laid out and expended, and the said Joseph Sim and Patrick Sim Smith in mercy and so forth.

Memorandum. Judgment rendered in this cause on the eighteenth day of October in the year of our Lord one thousand seven hundred and ninety one for the damages laid in the Declaration and costs of suit, the said damages to be released on payment of seven hundred and fifty five pounds five shillings and five pence current money with Interest thereon from the ninth day of January seventeen hundred and ninety, and costs and the plaintiff agree to stay execution until the first day of August next, payments, if any to be allowed.

Test John Gwinn Cl.

William Knox
Thomas B Ussher
& James M.c Culloch
against
Joseph Englemen &
William Davison

Be it remembered that heretofore to wit on the third day of July in the year of our Lord one thousand seven hundred and ninety the said William Knox, Thomas B Ussher and James M.c Culloch by Archibald Robinson their attorney prosecuted and sued forth out of the General Court the writ of the State of Maryland of capias ad respondendum directed to the Sheriff of Washington County in the words and of the tenor following to wit. The State of Maryland &c. To the Sheriff of Washington county greeting. We command you that you take Joseph Englman late of Washington county yeoman and William Davison late of the same county yeoman if they shall be found in your bailwick and them safe keep so that you have their bodies before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next to answer unto William Knox, Thomas B. Usher and James M.c Culloch in a plea of trespass on the case and so forth, Thereof fail not at your peril and have you then and there this writ, Witness Thomas Johnson Esq.r Chief Judge of our said Court the 17.th day of June anno Domini 1790.

Issued the 3.d day of July 1790. (A. Robinson,) Jn.o Gwinn Clk.

And the said William B. Knox, Thomas B. Usher & James M.c Culloch by their attorney aforesaid on the day of prosecuting and suing forth

the said writ declared in the said court against the said Joseph Englman and William Davison in the plea aforesaid as follows to wit. Western Shore of Maryland, Washington County to wit. Joseph Englman late of Washington County yeoman and William Davison late of the same county yeoman were attached to answer unto William Knox, Thomas B Usher and James M.c Culloch in a plea of trespass on the case and so forth. And whereupon the same William Knox, Thomas B Usher and James M.c Culloh by Archibald Robinson their attorney complain that the aforesaid Joseph Englman and William Davison after the first day of May in the year seventeen hundred and five to wit on the twelfth day of June in the year seventeen hundred and eighty nine at Washington County aforesaid did make their certain note in writing commonly called a promissory note bearing date the same day and year last aforesaid with their proper names and hands thereto subscribed and that note to the said William Knox, Thomas B Usher and James M.c Culloh then and there did deliver and by the same note did promise to pay to the said William Knox, Thomas B Usher and James M.c Culloh by the name and title of Knox, Usher, and M.c Culloh or their order on the first day of September then next ensuing the date of the said note the sum of one hundred and twenty one pounds thirteen shillings and four pence current money of Maryland for value received when thereto afterwards they the said Joseph Englman and William Davison should be required according to the tenor and effect of the said note, by reason whereof as also by force of the Statute in such cases made and provided the same Joseph Englman and William Davison became liable and chargeable to pay unto the aforesaid William Knox, Thomas B. Usher and James M.c Culloh the aforesaid sum of one hundred and twenty one pounds thirteen shillings and four pence current money aforesaid according to the tenor and effect of the same note and so thereof being liable and chargeable the aforesaid Joseph Englman and William Davison in consideration thereof then and there afsumed upon themselves and faithfully promised the said William Knox, Thomas B. Usher and James M.c Culloch to pay them the aforesaid sum of money according to the tenor and effect of the same note, Nevertheless the aforesaid Joseph Englman and William Davison their promise and afsumption aforesaid not regarding but minding and intending the said William Knox, Thomas B. Usher and James M.c Culloch in this behalf to defraud the aforesaid sum of money or any part thereof to the said William Knox, Thomas B. Usher and James M.c Culloch or to either or any of them they the said Joseph Engelman and William Davison have not nor hath either of them yet paid / altho to do the same by the said William Knox, Thomas B. Usher and William M.c Culloh the aforesaid Joseph Engelman and William Davison on the

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