pounds fifteen shillings and one penny current money according to Tenor of said note and being so therewith chargeable the said Andrew and Abraham afterwards to wit, on the day and year last aforesaid at the County aforesaid in consideration thereof upon themselves assumed and to the said Thomas then and there faithfully promised that they the said Andrew and Abraham would well and truly satisfy and pay to the said Thomas the aforesaid sum of current money according to the tenor and effect of the note aforesaid. Nevertheless the said Andrew and Abraham their promise and assumption aforesaid so as aforesaid made not regarding but minding and fraudulently intending him the said Thomas in this behalf craftily and subtilly to deceive and defraud the aforesaid sum of current money or any part thereof (altho' often thereunto required) by the said Thomas on the nineteenth day of March seventeen hundred and ninety two at the County aforesaid to him the said Thomas have not, nor hath either of them rendered or paid but the same sum of money to him hitherto to render or pay the said Andrew and Abraham have altogether refused and still do refuse to the Damage of him the said Thomas in the sum of four hundred pounds current money aforesaid and therefore he brings suit &c.a.

W. Cooke for the Plff. Pledges &c. John Doe and Richard Roe

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

At which mentioned second tuesday of May being the eighth day of same Month anno Domini seventeen hundred and ninety two and the day of the return of the aforegoing writ comes here into our General Court the aforesaid Thomas Hadfield by William Cooke his attorney aforesaid. And the Sheriff of Baltimore County to whom the said aforegoing writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed, to wit

Cepi. Anno, Copies served 15th April 1792. Rob't Gorsuch Shff

And the said Andrew Van Bibber and Abraham Van Bibber by Archibald Robinson their attorney come and defend the force and injury when and so forth and pray leave of the Court to imparle hereunto untill next Court and they have it, and the same day is given to the Plaintiff also.—

At which said next Court to wit, the second tuesday of October being the ninth day of the same month anno Domini seventeen hundred and ninety two come again here into our General Court the aforesaid Andrew Van Bibber and Abraham Van Bibber by their attorney aforesaid and suggest to the Court here that the said Thomas Hadfield after the last continuance of the action aforesaid to wit, the second Tuesday of May last past and before this time to wit, at

at the County aforesaid died, and this is not denied, Whereupon a certain Richard Curson to whom administration of all and singular the goods and chattels rights and credits which were of the aforesaid Thomas Hadfield deceased at the time of his death by our Register of Wills for the County aforesaid was in due form of Law committed now here also cometh into our said General Court according to the form and effect of the act of assembly in such cases made and provided and offers himself ready to prosecute against the aforesaid Andrew Van Bibber and Abraham Van Bibber of and in the plea aforesaid And the aforesaid Andrew Van Bibber and Abraham Van Bibber by their attorney aforesaid as before defend the force and injury when and so forth And say that they did not assume upon themselves in such manner and form as the aforesaid Thomas Hadfield in his lifetime above against them hath declared and of this they put themselves upon the Country. And the aforesaid Richard Curson administrator aforesaid in like manner and so forth.

Therefore let a Jury thereupon appear before the Judges of our General Court here on the second Tuesday of May next by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid there &c.a.

And now here at this day to wit the said second Tuesday of May being the fourteenth day of the same month anno Domini seventeen hundred and ninety three come again here into our General Court as well the aforesaid Richard Curson administrator aforesaid by his attorney aforesaid as the aforesaid Andrew Van Bibber and Abraham Van Bibber by their attorney aforesaid. Nevertheless the aforesaid Andrew Van Bibber and Abraham Van Bibber by Archibald Robinson their attorney aforesaid relinquishing the averment aforesaid by them pretended say that they cannot deny the action aforesaid of the aforesaid Thomas Hadfield so as aforesaid in his life time against them brought nor but that they did assume upon themselves in such manner and form as the aforesaid Thomas Hadfield in his life time above against them hath complained nor but that the said Richard Curson administrator aforesaid hath sustained damages by occasion of the non performance of the promise and assumption aforesaid to the sum of four hundred pounds current money of Maryland besides his costs and charges by him about his suit in this behalf laid out and expended &c.

Therefore it is considered by the Judges here that the said Richard Curson administrator aforesaid recover against the aforesaid Andrew Van Bibber and Abraham Van Bibber as well the sum of four hundred pounds current money of Maryland his Damages aforesaid in form aforesaid confessed as also the quantity of seven hundred and seventy pounds of Tobacco by the Court here unto him on his assent adjudged for his costs and charges by him about his suit in