the said Wallace, Davidson and Johnson on the third December seventeen hundred and seventy four at London aforesaid presented and shewn unto them the said Mildred and Roberts, (the thirty days sight thereof having first expired from the day last aforesaid) and they were then and there requested to pay the said Bill to the order of them the said Wallace, Davidson and Johnson, and the said Mildred and Roberts then and there answered that they would (and the said Wallace, Davidson and Johnson do hereby acknowledge that they did) pay to the order and for the use aforesaid the sum of fifty four pounds Sterling part thereof; But the said Mildred and Roberts then and there answered that they would not pay the sum of seventy pounds twelve shillings and eight pence the residue of the said Bill, and have hitherto always refused to pay the residue aforesaid to the order and for the use aforesaid, by reason whereof the aforesaid Bill afterwards, to wit, on the third day of January seventeen hundred and seventy four, the day of Grace being expired, at London aforesaid according to usage and custom of Merchants aforesaid was protested for non payment of the aforesaid sum of seven pounds twelve shillings and eight pence Sterling money residue as aforesaid, whereof the aforesaid Hawkins and O'Neil had notice at the County aforesaid. - By reason whereof the aforesaid Hawkins and O'Neil according to the custom of Merchants aforesaid became liable to pay unto the said Wallace, Davidson and Johnson the last aforesaid sum of money together with all lawful costs, damages and Interest suffered and sustained by reason of the non payment of the said sum of money and the Protest aforesaid, and the said Hawkins and O'Neil so being liable in consideration thereof afterwards, to wit, on the day and year last aforesaid, at the County aforesaid undertook and promised to pay to them the said Wallace, Davidson and Johnson the last aforesaid sum of money residue as aforesaid together with all legal costs and damages by them suffered by reason of the non payment and Protest aforesaid when afterwards they should be thereunto required, and the said Wallace, Davidson and Johnson in fact say that the damage costs and Interest, by them suffered and sustained by reason of the non payment and Protest aforesaid amount unto the sum of seventeen pounds, seven shillings current money of which the said Hawkins and O'Neil had notice. And the said

(Wallace)

Wallace, Davidson and Johnson in fact further say that the said Hawkins before the impetration of the original writ in this cause, to wit, at the County aforesaid died insolvent. Nevertheless the said Hawkins and O'Neil in the life time of him the said Hawkins, or the said O'Neil since the death of him the said Hawkins their several promises and assumptions so made disregarding, but intending to defraud the said Wallace, Davidson and Johnson in this behalf have not paid the said sum of money or any part thereof altho' so to do they have been often by the said Wallace Davidson and Johnson, to wit, on the day and year aforesaid at the County aforesaid requested but the same to pay they have hitherto refused and the said O'Neil still refuses, wherefore the said Wallace Davidson and Johnson say they are injured and have damage to the value of One thousand pounds current money and therefore they bring Suit &c.

Thomas Slater for Plaintiff pledges &c. John Doe, Richard Roe

The Bill of Exchange, whereof mention is made in the Declaration aforesaid, ensues in the words and figures following, to wit.

Exchange for £101.. 12.. 8 Sterling Maryland 2nd October 1773. At thirty days sight of this our second of Exchange (first, no third, paid) pay unto Messrs. Wallace Davidson and Johnson or their order the sum of One hundred and one pounds Twelve shillings & eight pence Sterling money of great Britain, value received of them and place the same as P advice from Hugh Hopewell on account of - Gentlemen

To. Yr. Mo. Hble Servt.

Messrs. Mildred & Roberts, Merchts. in London } Hawkins & O'Neill.

N.Y. 3d Jan.y 1774 W.J. 1st Decemr. 1772.

On the back of the aforegoing Bill of Exchange, was the following indorsement, to wit: Pay the contents to Mr. John Johnson or order for the use of Wallace Davidson & Johnson. The Protest whereof mention is also made in the Declaration aforesaid ensues in the words and figures following to wit: Exchange for £101.. 12.. 8 Sterling Maryland 2d Octob.r 1773. At thirty days sight of this our second of Exchange (first no third paid) Pay unto Messrs. Wallace, Davidson and Johnson or their order the sum of One hundred and one pounds twelve shillings and eight pence Sterling money of Great Britain value received of them and place the same as P advice from Hugh Hopewell on acct. of. Yo

Gentlemen Yr. Mo. Hble Servt.

Messrs. Mildred & Roberts, Merchts. in London } Hawkins & O'Neill

(Pay)