said James Francis and Charles by William Cooke their Attorney complain that whereas the Dennis on the sixth day of February in the year of our Lord seventeen hundred and ninety three at Prince Georges County aforesaid was indebted unto them the said James, Francis and Charles in the sum of three hundred and thirty five pounds four shillings and seven pence Current money for the like sum of Current money by them before that time lent and advanced to the said Dennis at the County aforesaid at his special Instance and request, And being so indebted the said Dennis in consideration thereof afterwards to wit, on the day and year aforesaid at the County aforesaid upon himself assumed and to the said James, Francis, and Charles then and there faithfully promised the aforesaid sum of money to them the said James, Francis, and Charles when afterwards he the said Dennis should be thereunto required he would well and truly content and pay. And whereas afterwards to wit, on the day and year aforesaid at the County aforesaid the said Dennis was indebted unto them the said James, Francis, and Charles in one other sum of three hundred and thirty five pounds four shillings and seven pence Current money for the like sum of Current money before that time there laid out and expended and paid by the said James, Francis and Charles to the use of the said Dennis at his special Instance and request, and being so indebted the said Dennis in Consideration thereof to wit, on the day and year aforesaid at the County aforesaid upon himself assumed and to the said James, Francis and Charles then and there faithfully promised the last aforesaid sum of money to them the said James, Francis and Charles then and there faithfully promised the last aforesaid sum of Current money to them the said James, Francis and Charles when afterwards he the said Dennis should be thereunto required he would well and truly content and pay. Nevertheless the said Dennis his several promises and assumptions aforesaid so as aforesaid made not regarding but minding and fraudulently intending, them the said James, Francis and Charles in this behalf craftilly and subtilly to deceive and defraud the said several sums of Current money or any part of either of them to the said James Francis and Charles or to either of them hath not rendered or paid (altho' so to do the said Dennis was afterwards on the day and year aforesaid and often afterwards at the County aforesaid by them the said James, Francis and Charles requested) but the same several sums of Current money to

to them or to either of them hitherto to render or pay the said Dennis hath altogether refused and still doth refuse wherefore the said James, Francis and Charles say they are the worse and have damage to the value of five hundred pounds Current money and therefore they bring suit &c. &c. forth. W. Cooke p. Pltfs. Pledges and so forth. 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 October being the fourteenth day of the same month Anno Domini seventeen hundred and ninety four, and the day of the return of the aforegoing writ, come here into our General Court the aforesaid James Trecothick, Francis Thwaites and Charles Apthorp Wheelwright by William Cooke their Attorney aforesaid, And the sheriff of Prince Georges 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 Copy left 28th August 1794. Wm. Inf. Jackson Sheff.

And the said sheriff although being called upon to bring into Court here the body of the said Dennis Maguider according to his return of the writ aforesaid brings him not in, but makes default, whereupon it is adjudged by the Court here, that the said Sheriff be amerced the damages aforesaid, and also all such Costs and charges as have or may accrue in the action aforesaid in case he hath not the body of the said Dennis Maguider in Court here, on the second day of the next Court.

At which said next Court, to wit, the second Tuesday of May being the twelfth day of the same month Anno Domini seventeen hundred and ninety five, come again here into our General Court the aforesaid James Trecothick, Francis Thwaites and Charles Apthorp Wheelwright by their Attorney aforesaid. And the said sheriff being further called upon to bring into Court here the body of the said Dennis Maguider whom this day he ought to have here in compliance with the rule of the Court aforesaid, and to save the amercement aforesaid, brings him in whereupon it is adjudged by the Court here, that the Amercement aforesaid be struck out.

And the aforesaid Dennis Maguider by Edward Nicholls his attorney comes and defends the force and injury when and so forth, And saith that he did not assume upon himself in such manner and form as the aforesaid James Trecothick, Francis Thwaites and Charles Apthorp