the second Tuesday of October next, to answer unto Thomas Fraser of a plea of Trespass on the Case and so forth, hereof fail not at your peril, and have you then and there this writ, witness the Honourable Samuel Chase Esquire, Chief Judge of our said Court, the 23d day of June Anno Domini 1795.

Issued the 19th day of August 1795 (R Smith) John Gwinn, Clk.

And the aforesaid Thomas Frazer by his Attorney aforesaid declared against the aforesaid Jeremiah Evans, Hanson Briscoe and Thomas Hamersley in the plea aforesaid, in manner and form following to wit

Western Shore of Maryland, General Court, Saint Mary's County ss.

Jeremiah Evans, Hanson Briscoe and Thomas Hamersley late of Saint Mary's County Merchants, were attached to answer unto Thomas Fraser of a plea of Trespass on the case and so forth. And whereupon the same Thomas by Robert Smith, his Attorney complains, that whereas the said Jeremiah, Hanson and Francis, by the name of Jeremiah Evans and Company on the first day of August in the year seventeen hundred and ninety five at the County aforesaid, were indebted unto the said Thomas in the sum of Three hundred and twenty nine pounds eighteen shillings and ten pence Current Money of Maryland, for divers Goods Wares and Merchandizes, by the said Thomas to the said Jeremiah, Hanson and Francis at their special Instance and request there before that time sold and delivered, as by a particular Account thereof herewith brought into Court, may appear; And being so indebted, the said Jeremiah, Hanson and Francis in consideration thereof then and there undertook and promised the said Thomas to pay him the said sum of three hundred and twenty nine pounds eighteen shillings and ten pence Current Money of Maryland when they should be thereunto requested, And also whereas the said Thomas afterwards, to wit, on the same day and year last mentioned, at the County aforesaid, had sold and delivered to the said Jeremiah, Hanson and Francis at their like special instance and request, divers other Goods, Wares and Merchandizes as by a particular Account thereof herewith into Court brought may appear the said Jeremiah, Hanson and Francis in consideration thereof then and there undertook and promised the said Thomas to pay them so much Current Money for the said last above mentioned Goods Wares and Merchandizes as the same at the time of the sale and delivery thereof were reasonably worth, when they should be thereunto requested; And the said

(Thomas)



Thomas in fact saith that the said last above mentioned Goods Wares and Merchandizes at the time of the Sale and delivery thereof, reasonably were worth the sum of other Three hundred and twenty nine pounds eighteen shillings and ten pence of like Current Money, to wit, at the County aforesaid, whereof the said Jeremiah Hanson and Francis then and there had notice, Nevertheless the said Jeremiah Hanson and Francis not regarding their several promises and assumptions aforesaid, but intending to defraud the same Thomas in this behalf have not yet paid, the said sums of Money or any part thereof, to the said Thomas (although so to do the said Jeremiah, Hanson and Francis on the day and year aforesaid, and often afterwards, at the County aforesaid were requested by the said Thomas) but hitherto have refused, and still do refuse to pay him the same, To the damage of the said Thomas Six hundred pounds Current Money of Maryland, and thereupon he brings Suit, and so forth. -

Robt Smith Atty. for Plff pledges for prosecuting John Doe and Richard Roe

Copies of which aforegoing Declaration were made and sent with the writ which issued in the plea aforesaid, And a Duplicate of the aforegoing Writ and Declaration were also made and sent directed to the Sheriff of Washington County.

At which mentioned second Tuesday of October being the thirteenth day of the same month Anno Domini seventeen hundred and ninety five and the day of the return of the aforegoing writ comes here into our General the aforesaid Thomas Frazer by Robert Smith his Attorney aforesaid, And the Sheriff of Saint Marys 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 Hamersley 19th Septr 1795 Non est Evans and Briscoe, Saml Abell Shff.

And the said Francis Hamersley being called upon appears And at the prayer of the aforesaid Thomas Fraser by his Attorney aforesaid, the said Francis Hamersley is adjudged to give special bail to the Action aforesaid Whereupon a certain Elisha Johnson of Saint Mary's County Gentleman present here in Court in his proper person undertakes for the said Francis Hamersley that in case the aforesaid Thomas Fraser shall recover Judgment against the said Francis Hamersley in the plea aforesaid, or that the said Francis Hamersley shall be therein legally convict, then the said Francis Hamersley shall pay the condemnation of the Court thereupon or render his Body to the Custody of the Sheriff of Saint Mary's County in satisfaction thereof, or that he the said Elisha Johnson will do the same for him. — And the Sheriff of Washington County to whom a Duplicate of the said aforegoing Writ was made and directed likewise

(comes)