the year of our Lord one thousand seven hundred and ninety seven come again here into our General Court as well the aforesaid Nicholas Sluby Joseph Smith by Walter Dorsey their attorney aforesaid as the aforesaid John Togart by his Attorney aforesaid.

Nevertheless the aforesaid John Togart by his attorney aforesaid relinquishing the abument aforesaid above by him pretended says that he cannot deny the action aforesaid of the said Nicholas Sluby and Joseph Smith so as aforesaid against him brought, nor but that he owes to the said Nicholas Sluby and Joseph Smith the aforesaid sum of six hundred and ten pounds four shillings and two pence Current money of Maryland in manner and form aforesaid, so as the aforesaid Nicholas Sluby and Joseph Smith above against him have declared.

Therefore it is considered by the Court here that the said Nicholas Sluby and Joseph Smith recover against the aforesaid John Togart as well the sum of six hundred and ten pounds four shillings and two pence Current money of Maryland their debt aforesaid in form aforesaid confessed as also the quantity of nine hundred and thirty nine pounds of Tobacco by the Court here unto the said Nicholas Sluby and Joseph Smith on their agent [illegible] judged as well for their damages sustainid by reason of the detention of that debt as for their Costs and Charges by them about their suit in this behalf laid out and expended and the aforesaid John Togart in mercy and soforth.

Memorandum Judgment was rendered in this Cause on the seventeenth day of May in the year of our Lord one thousand seven hundred and ninety seven for penalty and Costs of suit; and the Plaintiffs agree to release the penalty upon the payment of principal Interest and Costs and agree to stay execution until the first day of August next; payments if any to be allowed

Test. John Gwinn Cl.

Richard Gernon & John Gernon against John Togart and Josias Pennington

Be it remembered that heretofore to wit, on the twelfth day of December in the year of our Lord one thousand seven hundred and ninety five the Plaintiffs by James Winchester their attorney sued out of our General Court the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Baltimore County in the words and figures following to wit, The State of Maryland ss. To the Sheriff of Baltimore County greeting; we command you that you take John Togart and Josias Pennington late of Baltimore County Merchants if they shall be found in your bailiwick, 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 May next to answer unto Richard Gernon and John Gernon of a plea of trespass upon the Case and soforth, hereof fail not at your peril, and have you then and there this writ. Witness the honorable Samuel Chase Esquire Chief Judge of our said Court the 30th day of October Anno Domini 1795.

Issued the 12th day of December 1795. J Winchester. Jno Gwinn Cl.

And the aforesaid Richard Gernon and John Gernon by their attorney aforesaid declared against the aforesaid John Togart and Josias Pennington in the plea aforesaid in manner and form following to wit.

Western Shore of the State of Maryland Baltimore County to wit, John Togart and Josias Pennington late of Baltimore County Merchants were attached to answer Richard Gernon and John Gernon of a plea of trespass upon the Case and soforth; Whereupon the said Richard and John by James Winchester their attorney complain, that whereas the aforesaid John and Josias after the first day of May in the year seventeen hundred and five, to wit, on the fifteenth day of April in the year seventeen hundred and ninety five at Baltimore County aforesaid, made his certain note in writing called a promisory note, their proper hands writing thereto subscribed, bearing date the day and year last aforesaid, and the said Note to a certain Thomas Calwell then and there delivered, by which said note the said John and Josias promised to pay, six months after the date of the said note, unto the said Thomas Calwell, or order, two thousand Dollars for value recieved; And the said Thomas Calwell afterwards, to wit, on the said fifteenth day of April in the year last aforesaid at the County aforesaid (the aforesaid sum of money or any part thereof not being paid or satisfied), by his indorsement on the said note made and written, and with the proper hand of him the said Thomas Calwell subscribed, ordered and appointed the aforesaid sum of money in the said note mentioned, to be paid to them the said Richard and John; of which the said John and Josias afterwards, to wit, on the day and year last aforesaid had notice; by reason of which premises and also by force of the Statute in such Case made and provided the aforesaid John and Josias became,