make his certain Note, in writing commonly called a promissory Note, bearing date the same day and year last mentioned, with his proper name and hand hereto subscribed; and the same Note to the said Peter and John then and there did deliver, and by the same Note, then and there did promise to pay unto the said Peter and John (by the name of Peter Hoffman & son) or order on the first day of April next ensuing the date of the said Note the sum of Two hundred and ninety one pounds seven shillings and two pence Current Money of Maryland, for value received, according to the Tenor and effect of the same Note; by reason whereof; and also by force of the Statute in such cases made and provided, the same Richard Frazier became liable to pay unto the said Peter and John the said sum of Two hundred and ninety one pounds seven shillings and two pence according to the tenor and effect of the same Note; and being so liable the said Richard in consideration thereof, then and there undertook and promised the said Peter and John to pay them the said sum of Two hundred and ninety one pounds seven shillings and two pence according to the tenor and effect of the same Note, Nevertheless the said Richard not regarding his promise and assumption aforesaid; but intending to defraud the same Peter and John in this behalf hath not yet paid the said sum of Money, or any part thereof, to the said Peter and John (although so to do the said Richard on the day and year aforesaid, and often afterwards at the County aforesaid, was requested by the said Peter and John) but hitherto hath refused, and still doth refuse to pay them the same, To the Damage of the said Peter and John Five hundred pounds, Current Money of Maryland, and therefore they bring suit, and so forth.

R. Smith for Pltffs. pledges for prosecuting { John Doe, and Richard Roe.

At which mentioned second Tuesday of May being the ninth day of the same month, in the year of our Lord one thousand seven hundred and ninety seven, and the day of the return of the aforegoing Writ, come into the General Court here, the aforesaid Peter Hoffman and John Hoffman by Robert Smith their Attorney aforesaid; And the Sheriff of Baltimore County aforesaid, to wit, Henry Stevenson Gentleman, to whom the said aforegoing writ was in form aforesaid directed,

(likewise)

likewise comes and makes return thereof, to the Court here, thus endorsed, to wit.

"Cepi Copy served 10th April April Bail piece and power to N. B.

H. Stevenson Sheriff.

And the said Richard Frazier by Nicholas Brice his Attorney appears in Court here; And thereupon on the motion of the aforesaid Peter Hoffman and John Hoffman by their attorney aforesaid, It is ruled by the Court here, that the said Richard Frazier give special bail to the Action aforesaid in the plea aforesaid; Whereupon the said Richard Frazier by his Attorney aforesaid files in Court here, the following Bail piece, to wit,

Peter Hoffman and John Hoffman against Richard Frazier. You James Frazier and John Bruce Junior do jointly and severally acknowledge yourselves special Bail for Richard Frazier at the suit of Peter Hoffman and John Hoffman in an Action of a plea of Trespass on the case and so forth brought by the said Peter Hoffman and John Hoffman against the said Richard Frazier in the General Court for the Western shore, to be held in the City of Annapolis the second Tuesday in May next; they acknowledge themselves content therewith: this 11th day of April seventeen hundred and ninety seven, Acknowledged before.

Geo. Gouldth Presbury
Joshua Lemmon.

I. Richard Frazier empower authorise and appoint Nicholas Brice Esquire, to appear for me in the above action Given under my Hand and Seal, this ---- day of .... seventeen hundred and ninety seven

Richd. Frazier (Seal)

Witness, Jacob Brown

To the Honourable the Judges of the General Court.

And thereupon on the motion of the aforesaid Peter Hoffman and John Hoffman by their attorney aforesaid, It is ruled by the Court here, that the said Richard Frazier answer to the Declaration aforesaid of the aforesaid Peter Hoffman and John Hoffman in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof. And the said Richard Frazier by his Attorney aforesaid defends the force and injury when and so forth; and prays leave of the Court here to imparle intil the second Tuesday of October next, and then to answer to the declaration aforesaid of the aforesaid Peter Hoffman in the plea aforesaid, and to him it is granted, the same day is given.

(to)