three shillings and five pence Current money for divers goods wares and merchandizes by the said George and Patrick before that time sold and delivered to the said Walter and at his special Instance and request and so being indebted he the said Walter in consideration thereof afterwards to wit on the same day and year aforesaid at the County aforesaid undertook and faithfully promised the said George and Patrick to pay them the said George and Patrick the said sum of money when he the said Walter Brookes should be thereunto afterwards requested, And whereas afterwards to wit on the same day and year aforesaid at Montgomery County aforesaid in Consideration that the said George Maguder and Patrick Maguder at the like special instance and request of the said Walter Brookes had before that time sold and delivered to the said Walter Brookes divers other Goods wares and merchandizes he the said Walter Brookes then and there undertook and faithfully promised the said George and Patrick Maguder to pay them so much money as they therefore reasonably deserved to have for the same when he the said Walter should be thereto afterwards requested and the said George Maguder and Patrick Maguder do in fact aver that they therefore reasonably deserved to have of the said Walter Brookes the same other thirty five pounds three shillings and five pence Current money to wit, at Montgomery County aforesaid whereof the said Walter Brookes afterwards to wit on the same day and year aforesaid there had notice yet the said Walter Brookes not regarding his said several promises and undertakings so by him made in this behalf as aforesaid but contriving and fraudulently intending craftily and subtilly to deceive and defraud the said George and Patrick Maguder in this behalf has not as yet paid the said several sums of money or any part thereof to the said George and Patrick / although so to do he the said Walter Brookes was requested by the said George and Patrick afterwards to wit on the same day and year aforesaid and often afterwards to wit at Montgomery County aforesaid but he to do this has hitherto wholly refused and still refuses so to do to the said George and Patrick to their damage of fifty pounds Current money of Maryland and therefore they bring suit and soforth.

John T. Mason for the Plaintiffs Pledges to prosecute } John Doe and Richard Roe.

A Copy of which said Declaration was made out and sent with the writ which issued in the plea aforesaid. At

At which first Monday in November Anno Domini one thousand seven hundred and ninety seven being the day of the return of the aforegoing writ comes the said George Maguder and Patrick Maguder by their attorney aforesaid and the sheriff of the County aforesaid to whom the said writ was directed likewise comes and makes return thereof to the Court here thus endorsed to wit. Cepi Copy left 23rd September.

Benjamin Ray Juns. Shff.

And the said Walter Brookes being called upon appears in Court here by William Wallace his attorney, Thereupon at the prayer of the said George Maguder and Patrick Maguder by their attorney aforesaid the said Walter Brookes is adjudged to give special bail to the action aforesaid Whereupon a certain Benjamin Gaither of the County aforesaid presents here in Court undertakes for the said Walter Brookes in Case the said George Maguder and Patrick Maguder should recover Judgment against the said Walter Brookes in the plea aforesaid that then the said Walter Brookes shall the Condemnation of the Court thereupon or render his body to the Custody of the sheriff of the County aforesaid in satisfaction thereof or that he the said Benjamin Gaither would do the same for him.

And the said Patrick Maguder and George Maguder by their attorney aforesaid prays that the said Walter Brookes may be ruled to answer the declaration aforesaid of them the said George Maguder and Patrick Maguder filed in the plea aforesaid and it is granted unto them And the aforesaid Walter Brookes by his attorney aforesaid defends the force and injury when and soforth and prays leave of the Court here to imparle untill the first Monday in March next, following and he hath it the same day is given to the said George Maguder and Patrick Maguder here &c. At which said first Monday in March Annodomini one thousand seven hundred and ninety eight comes here again into Court the parties aforesaid by their attornies aforesaid And the said Walter Brookes by his attorney aforesaid defends the force and injury when and soforth and says that he did not assume upon himself in such manner and form as the said George and Patrick above against him have complained and of this he puts himself upon the Country, &c.

And the said Walter by his attorney aforesaid with the leave of the Court agreeably to the Statute in such Case made and provided for further plea in this behalf says that the said George and Patrick ought not to have or maintain their action aforesaid against him because