Town in said county on the first monday in April next to answer unto Joseph Yates and Richard Yates surviving partners of John Pitty. Joseph Yates and Richard Yates in 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 Michael J Stone Esquire Chief Justice of our County Court at the Town aforesaid the 15th day of September anno Domini 1795.

Issued the 5th day of November 1795. (Key) J R. Magruder Junr. Clk

And the said Joseph Yates and Richard Yates surviving partners aforesaid by their attorney aforesaid declared against the said Oswald Brooke in the plea aforesaid in manner and form following to wit

Prince Georges county to wit. Oswald Brooke late of Prince Georges county Physician was attached to answer unto Joseph Yates and Richard Yates surviving partners of John Pitty, Joseph Yates and Richard Yates in a plea of trespass on the case and so forth. And whereupon the said Joseph and Richard by Philip B. Key their attorney complain that whereas the aforesaid Oswald Brooke on the nineteenth day of October in the year seventeen hundred and ninety two at the county aforesaid. was indebted unto them the said Joseph and Richard and a certain John Pitty now deceased, whom they the said Joseph and Richard have survived in the sum of seventy four pounds eight shillings and eleven pence half penny current money for sundry matters properly chargeable in account as by a particular account thereof herewith into court brought may appear, and being so therein indebted the aforesaid Oswald afterwards to wit on the day and year aforesaid at the county aforesaid in consideration thereof upon himself assumed, and to the said John. Joseph and Richard then and there faithfully promised that he the said Oswald the aforesaid sum of money to them the said John Joseph and Richard when afterwards he should be thereunto required would well and truly content and pay. Nevertheless the said Oswald his promise and assumption aforesaid so as aforesaid made not regarding but minding and fraudulently intending them the said John Joseph and Richard in the life time of the said John and the aforesaid Joseph and Richard after the death of the said John in this behalf craftily & subtilly to deceive and defraud the aforesaid sum of money or any part thereof to them the said John Joseph and Richard in the life time of the said John or to the said Joseph and Richard after the death of the said John hath not contented or paid, altho' so to do the said Oswald on the day and year last aforesaid, and often afterwards at the county aforesaid by the said John Joseph and Richard in the life time of the said John, and since his death by the said Joseph and Richard was requested but the aforesaid sum of money or any part thereof to the said John. Joseph and Richard in the life time of the said John or to the said Joseph and Richard since the death of the said John to content or pay hath hitherto altogether refused and the same to content or pay to the said Joseph and Richard still doth refuse to the damage of the said Joseph and Richard in the sum of one hundred and fifty pounds current money and therefore they bring suit and so forth

Philip B. Key for the pltff. pledges and so forth { John Doe and Richard Roe

(here insert the account)

copies of which aforegoing declaration and account were made and sent with the writ which issued in the plea aforesaid.

And now on this day to wit the first monday in april being the fourth day of the same month in the year of our Lord one thousand seven hundred and ninety six and the day of the return of the aforegoing writ come here into the county court aforesaid the said Joseph Yates and Richard Yates surviving partners aforesaid by their attorney aforesaid, and offer themselves against the said Oswald Brooke in the plea aforesaid. And the sheriff to wit Joseph Boone Gentleman to whom the same writ was in form aforesaid directed likewise comes and makes return thereof to the court here thus endorsed to wit

Cepi copy in time b. p. Joseph Boone Shff

Whereupon the said Oswald Brooke appears here in court by John Mackall Gantt his attorney and files the following bail piece to wit

Joseph Yates and Richard Yates surviving partners of Jno. Pitty & Co. pltff vs Oswald Brooke defendant	You Leonard J Brooke and Michael Carroll do jointly and severally acknowledge yourselves special bail for the said Oswald Brooke at the suit of the said

Joseph and Richard Yates surviving partners of John Pitty and Co. in an Act of Debt brought by the said Joseph Yates and Richard Yates against the said Oswald Brooke in Prince Georges County Court. They acknowledge themselves to be content therewith this 25th day of March 1798.

Before Thomas Contee

To the Honourable the Judges of Prince Georges County Court

John Mackall Gantt Esquire is desired and empowered to appear for the Deft.

And the said Oswald Brooke by his attorney aforesaid defends the force & injury when and so forth, and prays leave of the court here to imparle until next court which is granted, the same day is given the plaintiffs also.

At which said next court to wit the first monday in September being the fifth day of the same month in the year of our Lord one thousand seven hundred and ninety six aforesaid, come here again into the county court aforesaid the parties aforesaid by their attornies aforesaid. And the said Oswald Brooke by his attorney aforesaid (as before) defends the force and injury when and so forth and saith that he did not assume upon himself in manner and form as the said Joseph Yates and Richard Yates surviving partners aforesaid against him to have complained, and of this he puts himself upon the country, and the said Joseph Yates and Richard Yates surviving partners aforesaid in like manner and so forth

Whereupon this cause standing ready for trial further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their attornies and by order of the court here thereon is continued until next court.

And now on this day to wit the first monday in April being the third day of the same month in the year of our Lord one thousand seven hundred and ninety seven come here again into the county court aforesaid the parties aforesaid by their attornies aforesaid, and the said Oswald Brooke by his attorney aforesaid relinquishing the averment aforesaid above by him pretended saith that he cannot deny the action aforesaid so as aforesaid against him brought nor but that he did assume upon himself in manner and form as the said Joseph Yates and Richard Yates surviving partners aforesaid in their declaration aforesaid against him complain, and the said Oswald Brooke also saith that he cannot deny

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