merchandizes by the said William B. Magruder and Thomas L. Washington, to the said Benjamin Clagett before that time sold & delivered, and being so indebted the said Benjamin in consideration thereof afterwards to wit on the same day and year last above mentioned, and at the County aforesaid, upon himself assumed and to the said William B. Magruder and Thomas L. Washington then and there faithfully promised to pay them the aforesaid sum of one hundred and eighty one pounds six shillings and ten pence three farthings, when he the said Benjamin should be thereunto afterwards requested. And whereas also the said Benjamin Clagett afterwards to wit, on the same day and year last above mentioned and at the County aforesaid in consideration that the said William B. Magruder and Thomas L. Washington, had before that time, at the like special Instance and request of the said Benjamin sold and delivered unto him divers other goods wares and merchandizes, he the said Benjamin on himself assumed and to the said William B. Magruder and Thomas L. Washington then and there faithfully promised to pay them such sum of money for the said last mentioned goods wares and merchandizes as the same at the time of the sale and delivery thereof to him were reasonably worth and the said William B. Magruder and Thomas L. Washington aver that the goods wares and merchandizes last above mentioned so as aforesaid by them sold and delivered to the said Benjamin were at the time of the sale and delivery thereof reasonably worth, one other sum of one hundred and eighty one pounds six shillings and ten pence three farthings of like lawful money aforesaid, whereof the said Benjamin then and there had notice from the said William B. Magruder and Thomas L. Washington. Nevertheless the aforesaid Benjamin his several promises and assumptions aforesaid in form aforesaid made not in the least regarding, but intending the aforesaid William B. Magruder and Thomas L. Washington in this behalf to deceive and defraud, the said several sums of money or any part thereof to the said William B. Magruder and Thomas L. Washington or to either of them he hath not paid, nor any ways contented them or either of them for the same (although to do this the aforesaid Benjamin afterwards to wit on the same day and year last above mentioned, and often times since at the County aforesaid hath been requested by the said William B. Magruder and Thomas L. Washington) but the same to the said William B. Magruder and Thomas L. Washington or either of them to pay or for the same any ways to content he hath altogether refused, and still doth refuse, to the damage of the said William B. Magruder

Magruder and Thomas L. Washington three hundred pounds of like lawful money aforesaid, and therefore they bring their suit and so forth

Samuel Johnston Atty for the plffs pledges &c. { Jno. Doe & Richard Roe

At which mentioned second tuesday of May, being the thirteenth day of the same month in the year of our Lord one thousand eight hundred and the day of the return of the aforegoing writ come into the General Court here, the aforesaid William B. Magruder and Thomas L. Washington by Samuel Johnston their attorney aforesaid and the Sheriff of Washington County aforesaid, to wit John Wagoner Gentleman to whom the said aforegoing writ was in form aforesaid directed, makes return thereof to the Court here thus endorsed to wit.

"Cepi & copy left 8th April 1800 Ewt. pace & power to (M.C.). Jno. Wagoner Shff

And the said Benjamin Clagett by William Clagett his attorney appears in Court here, And thereupon on motion of the aforesaid William B. Magruder and Thomas L. Washington by their attorney afsd It is ruled by the Court here that the said Benjamin Clagett give special bail to the action aforesaid in the plea aforesaid, Whereupon the said Benjamin Clagett by his attorney aforesaid files in Court here the following Bail Piece to wit.

William B. Magruder and Thomas L. Washington for the use of Samuel Johnston pltffs
vs
Benjamin Clagett, defendant

You Jonathan Magar & Jacob Harry, do jointly and severally acknowledge yourselves special bail for the said Benjamin Clagett at the suit of the said William B. Magruder and Thomas L. Washington for the use of Samuel Johnston ~~in an action on the case brought~~ by the said William B. Magruder and Thomas L. Washington for the use of Samuel Johnston against the said Benjamin Clagett in the general court. They acknowledge themselves to be content therewith this sixth day of May anno Domini one thousand and eight hundred

Before M. Van Lear. J. Schnebly

To the Honourable the Judges of the General Court, I do hereby Impower William Clagett to appear for me in the above suit

Benjn. Clagett

And thereupon on motion of the aforesaid William B. Magruder and Thomas L. Washington by their attorney aforesaid, It is ruled by the Court here that the said Benjamin Clagett answer to the Declaration aforesaid of the aforesaid William B. Magruder & Thomas L. Washington in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof. and the said Benjamin Clagett by his attorney aforesaid defends the force & injury

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