the said Robert Mackie and James Sherer in the lifetime of the said Robert Mackie and regarding their said several promises and Assumptions made in form aforesaid, but contriving and fraudulently intending craftily and subtilly to deceive and defraud the said Samuel, Israel, Robert and John P. Pleasants in their behalf, have not paid nor has either of them paid the said several sums of money or any part thereof to the said Samuel, Israel, Robert and John P. Pleasants or either of them (all this is to do the said James Sherer and the said Robert Mackie in the lifetime of the said Robert Mackie, and the said James Sherer after the death of the said Robert Mackie was, afterwards towit, at the County aforesaid by the said Samuel Israel, Robert and John P. Pleasants requested) but the same or any part thereof to either of them to content or pay, they have hitherto altogether refused, and the said James Sherer still doth refuse to the damage of them the said Samuel, Israel, Robert and John P. Pleasants in the sum of four hundred pounds current money as aforesaid, and therefore they bring suit &c.

Wm Barrol for Plffs. Pledges &c. John Doe & Richard Roe.

And the said Samuel Pleasants and Sons by their Attorney appeared in Court here, the following Account, towit —

Dr. Mackie & Sherer in Acct with Sam.l Pleasants and Sons Cr.

1795. 11.mo 6.	To Balance as per Authenticated Acct delivered J. Sherer as per Copy herewith	£312..11..6½	By Cash for Bills on N. Ely per	£75..0..0.	
	Interest to 11 Month 6. 96. 1 year 6 Months	20..11..3.	Interest 6 months 6 days	1..11..0.	
		£362..11..7½	balance due S. Pleasants & Sons	206..2..7½	
			as per Acct rendered by Dr.	£362..11..7½	
	To balance per Contra	£206..2..7½			
	Int.t due for 2 Kegs of Butter 18½ lb. @ 15d	1..9..7½			
	due Porterage & Freight	2/6 9..0..0.		£277..2..7½	
	To Interest until paid from 11.th Month 6th 96				

Philada 1st Month 26th 797 —
Errors Excepted
Samuel Pleasants & Sons.

City of Philadelphia Ss. The twenty first day of January 1797. Before me Hilary Baker, Mayor of the City of Philadelphia in the Commonwealth of Pennsylvania personally came and appeared Israel Pleasants, one of the Copartners in the Trading House of Samuel Pleasants and Sons of the said City, Merchants, and upon his Solemn affirmation according to Law did affirm & say that the above and within account is just and true in every particular both as to Debit and Credit sides thereof, and that the sum of two hundred and seventy seven pounds three shillings and seven pence half penny being the balance thereof is now justly due and owing unto the said Samuel Pleasants and Sons from the above named Mackie and Sherer and that they have never received any part or parcel of the said Ballance nor any Security or Satisfaction for the same —

Israel Pleasants.

Affirmed before me, at Philadelphia, Witness my hand & Seal. Hilary Baker, Mayor. (Seal)

Dr. Mackie and Sherer in acct with Samuel Pleasants & Sons Cr.

94 5.mo 15.	To Mdze pr Bill 6 Mo.	£232..2..2.	By Wallace McCreery's draft 10 days sight on S. Pollingsworth & Sons	£75..0..0.	
6..20.	To D.o pr D.o 232..2..2½ Porterage	22..11..2.			
7..5.	To Cash pd Porterage	1..13½			
8..27.	To Mdze pr Bill	55..5..11.			
95..5..11.	To do pr do	260..17..11.			
7..2.	To Cash pr Porterage	1..13½			
10	To Mdze pr Bill	47..0..0.			
11	To Cash paid Porterage	1..11½			
9..22.	To Mdze pr Bill	33..11..11.			
		£662..14..6½		£662..14..6½	

Copy of an Authenticated Account delivered to James Sherer Surviving Partner, which he acknowledged to be right —

Samuel Pleasants and Sons —

I Aspheton Humphreys, Notary and Tobellion Public in and for the Commonwealth of Pennsylvania by lawfull authority duly admitted and sworn, dwelling in the City of Philadelphia in the said Commonwealth, do hereby certify and attest unto all whom it doth or may concern that Hilary Baker Esquire before whom the within Affirmation was taken and made, was at the time of taking thereof and now is Mayor of the City of Philadelphia, and that full faith and credit is and ought to be given to him as such. And further that the said Affirmation was so taken and made in my presence and hearing. — In Testimony whereof I have hereunto set my hand and affixed my Notarial Seal at Philadelphia aforesaid, the twenty first day of January one thousand seven hundred and ninety seven. — (Seal)

Aspheton Humphreys Notary pub.

And the said Samuel Pleasants and Sons by their Attorney aforesaid, prayed that the said James Sherer Surviving Partner as aforesaid, might be ruled by the Court here, to file his plea in answer to the Declaration aforesaid of them the said Samuel Pleasants and Sons, and to them granted unto them, and the said James Sherer surviving Partner as aforesaid by his Attorney aforesaid, prayed the liberty of imparling hereunto until the next Court, and then to answer to the Declaration aforesaid of the said Samuel Pleasants and Sons, and the same was granted, the same day was given to the said Samuel Pleasants and Sons there &c. — At which said next Court, towit the second Tuesday of September seventeen hundred and ninety seven, came again into Court here, the Parties aforesaid by their Attorneys aforesaid. And the said James Sherer surviving Partner as aforesaid by his Attorney aforesaid comes and defends the force and injury when &c. and says that he did not undertake and promise in manner and form as the said Samuel Pleasants & Sons above against him both complained, and of this he puts himself upon the County &c. and the said Samuel Pleasants & Sons doth the like manner prosecute. — Whereupon for trying the issue aforesaid a Jury thereon appear before the Judges of our General Court here the second Tuesday of April next, by whom &c. who neither &c. to recognize &c. because as well &c. the same day is given to the Parties aforesaid there &c. — And now here, at this day, towit, the second Tuesday of April seventeen hundred and ninety eight, came again into Court here, the parties aforesaid by their Attornies aforesaid, and the said James Sherer Surviving Partner as aforesaid by his Attorney aforesaid, withdraws & relinquishes his averment aforesaid by his said plea by him in form aforesaid above pleaded, and says that he cannot deny the action aforesaid of the said Samuel Pleasants and Sons, so as aforesaid against him brought, nor but that they the said James Sherer and Robert Mackie, in the lifetime of the said Robert Mackie and he the said James Sherer the Surviving Partner as aforesaid since the death of the said Robert Mackie undertook & promised upon themselves in manner & form as the said Samuel Pleasants and Sons above against them thereof complains, nor likewise but that the said Samuel Pleasants & Sons have sustained Damages by reason of the non performance of the Promises and Assumptions aforesaid, to the sum of six hundred pounds current money, as they the said Samuel Pleasants above by declaring suppose — Whereupon the said Samuel Pleasants and Sons by their said Attorney pray Judgment and their Damages so acknowledged, together with their Costs and Charges by them about their suit in this behalf laid out and expended, to them to be adjudged &c. — Therefore it is considered by the Court here, that the said James Sherer Surviving Partner as aforesaid Samuel Pleasants and Sons, recover against the said James Sherer Surviving Partner as aforesaid, as well the said sum of six hundred pounds, current money, above acknowledged for their Damages which they have sustained by reason of the non performance of the Promises and Assumptions aforesaid, as the Quantity of one thousand two