sustained, which should be adjudged unto the said Robert Dennis by our said General Court or that he the said Thomas James Bullitt would do the same for him — Thereupon the said Robert Dennis by his Attorney aforesaid, defended the force and injury when &c. and prayed leave of the Court to imparle until the second Tuesday of September then next following, and he had it; the same day was given to the said Samuel Smith and James Buchanan there &c. — At which said second Tuesday of September seventeen hundred and ninety seven, came again into Court the Parties aforesaid by their Attorneys aforesaid; and the said Samuel Smith and James Buchanan by their Attorney aforesaid, for an declared against the said Robert Dennis in the plea aforesaid in a certain and form following, to wit — Eastern Shore of Maryland Dorchester County, to wit — Robert Dennis late of Dorchester County, Gentleman, was attached to answer unto Samuel Smith and James Buchanan in a plea of Trespass on the case &c. — And whereupon the same Samuel Smith and James Buchanan by Thomas James Bullitt their Attorney, say, complain, that whereas the same Robert Dennis after the first day of May, in the year of our Lord seventeen hundred and five, to wit, on the twenty seventh day of July in the year of our Lord seventeen hundred and ninety six, at Baltimore, in the County aforesaid, made his certain Note in Writing commonly called a promissory Note, with his own proper hand thereto subscribed, bearing date the same day and year last aforesaid, and the same to the same Smith and Buchanan did then and there deliver, by which said Note, the same Robert Dennis promised to pay to the same Smith and Buchanan, by the names and description of S. Smith and Buchanan, or their order, the sum of five hundred and seventeen pounds fourteen shillings and ten pence Current money of Maryland for value of them received, whenever after he the same Robert Dennis should be thereto required; by reason whereof, and also by force of the Statute in such case made and provided, the said Robert Dennis became chargeable to pay to the same Smith and Buchanan the said sum of money, according to the tenor of the said Note, and being so chargeable, the same Robert Dennis, in consideration thereof, afterwards, to wit, on the same day and year last aforesaid at the County aforesaid, upon himself assumed, and unto the same Smith and Buchanan then and there faithfully promised to pay to the same Smith and Buchanan the sum of money aforesaid according to the tenor and effect of the said Note — Nevertheless the same Robert Dennis his promise and assumption aforesaid in form aforesaid made, not regarding but minding and fraudulently intending the same Smith and Buchanan in this behalf craftily and subtilly to deceive and defraud, the said sum of money, or any part thereof, unto the same Smith and Buchanan or either of them yet hath not paid, contented or satisfied, although so to do the said Robert Dennis by the same Smith and Buchanan on the first day of August, in the year of our Lord seventeen hundred and ninety six, and often since that time at the County aforesaid was required; but the same sum of money for any part thereof, to pay satisfy or content to the same Smith and Buchanan, or either of them, the said Dennis hitherto altogether hath refused and still doth refuse to the Damage of the same Smith and Buchanan, one thousand pounds Current money of Maryland, and therefore they bring their suit &c. —

Thos. J. Bullitt for Pltffs. Pledger &c. John Dr. & Richard Rec —

The promissory Note in the Declaration aforesaid mentioned, follows as follows, to wit — Baltimore 27th July 1796 — I promise to pay S. Smith and Buchanan, or order, on demand five hundred and seventeen pounds, fourteen shillings and ten pence for value received — Witness — C. J. Pedley — Robt. Dennis —

Thereupon it was ordered by the Court at the prayer of the said Smith and Buchanan that the same Robert Dennis, answer to the Declaration of the said Smith and Buchanan in the plea aforesaid — And the said Robert Dennis by his Attorney aforesaid, further defended the force and injury when &c. — and prayed leave of the Court to imparle unto the second Tuesday of April then next following then next following, and he had it, the same day was given to the said Smith and Buchanan there &c.

And now here, at this day, to wit, the second Tuesday of April seventeen hundred and ninety eight, comes again into Court the Parties aforesaid by their Attorneys aforesaid; and the said Robert Dennis by his Attorney aforesaid, further defends the force and injury when &c. and saith, that he ought not to answer the action aforesaid of the said Samuel Smith and James Buchanan so as aforesaid against him brought, nor hath that he the said Robert Dennis did assume upon himself in manner and form as the said Samuel Smith and James Buchanan above thereof against him complain, nor hereof hath that the said Samuel Smith and James Buchanan have sustained Damages by reason of the non performance of the promise and assumption aforesaid to the sum of one thousand pounds Current Money, as they the said Samuel Smith and James Buchanan above by declaring suppose — Whereupon the said Samuel Smith and James Buchanan by their Attorney aforesaid, pray Judgment, and those Damages so acknowledged, together with their Costs & 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 Samuel Smith and James Buchanan recover against the said Robert Dennis as well the said sum of one thousand pounds Current money above acknowledged for their Damages which they have sustained by reason of the non performance of the promise and assumption aforesaid, as the Quantity of five hundred and ninety seven pounds of Tobacco, adjudged by the Court here, unto the said Samuel Smith and James Buchanan for their Costs and Charges by them about their suit in this behalf laid out and expended; and the said Robert Dennis in mercy &c. —

Test. James Earle jun. Clerk —

Memorandum. Judgment was confessed in this action on the thirteenth day of April 1798. for £1000 Damages and Costs — Also released on the payment of £517. 14. 10 Current money with Interest thereon from the 27th day of July 1796. till paid and Costs — with Stay of Execution till the next Term —

William Pelompte jun. use of Thomas Usher against Robert Muir

Be it remembered that on the twenty seventh day of October in the year of our Lord one thousand seven hundred and ninety six, a certain Robert Muir by William Bond Martin Esquire his Attorney, sued out of our Eastern Shore General Court, the State of Maryland's Writ of Habeas Corpus, to the Justices and Sheriff of Dorchester County directed, in the words and figures following, to wit —

The State of Maryland Ss. — To the Justices and Sheriff of Dorchester County Greeting: Whereas a certain Robert Muir is detained in the prison of your said County

Seal