Judgments

Damages two Cents — Damages to be released on payment of Interest on the Debt, from the twelfth day of December 1793, untill paid —

Peter Kuhn and Gustavus Risburg against John Eskine Surviving Partner of Eskine, Gray and Blair

Be it remembered that on the twenty fourth day of June in the year of our Lord one thousand seven hundred and ninety five, Command was given to the Sheriff of Talbot County, to take John Eskine and William Gray late of Talbot County, Merchants, & Surviving Partners of John Eskine, William Gray and John Blair late of the County aforesaid, Merchants, and Co-partners, if they should be found in his Bailiwick, and them safe keep, so that he might have their Bodies before the Judges of our General Court to be held at Easton in Talbot County, on the second Thursday of September then next, to answer unto Peter Kuhn and Gustavus Risburg, of a plea of Trespass upon the case, &c — And that thereof he the said Sheriff should not fail at his peril, and should have then and there that Writ, & so forth —

At which said second Thursday of September in the year Our Lord one thousand seven hundred and ninety two (being the day for the return of the aforegoing Writ) came into Court the said Peter Kuhn and Gustavus Risburg by Nicholas Hammond Esquire their Attorney, and the Sheriff of Talbot County to whom the same Writ was directed, likewise came, and made return thereof to our said Court thus endorsed, to wit — "Cepi Eskine, Non est, Gray, — Daniel P. Cox, Sheriff" —

And the said John Eskine being called appeared in Court by Thomas James Bullitt Esquire his Attorney; And thereupon, on motion of the said Peter Kuhn and Gustavus Risburg by their Attorney aforesaid it was ruled by the Court that the said John Eskine give special bail in the plea aforesaid: Whereupon a certain John Coats of Talbot County, came into Court in his own proper person, and with consent of the said Peter Kuhn and Gustavus Risburgh by their Attorney became Pledge and bail for the said John Eskine, that if it should happen that the said John Eskine should be convicted at the suit of the said Peter Kuhn and Gustavus Risburg in the plea afsd. then the said John Coats consented, that all such Damages, Costs, and Charges as should be adjudged unto the said Peter Kuhn and Gustavus Risburg in this behalf, of his Body, Lands and Chattels should be made, and to the use of the said Peter Kuhn and Gustavus Risburg levied; if it should happen that the said John Eskine the said Damages, Costs and Charges unto the same Peter Kuhn and Gustavus Risburg should not pay, or his Body in to the prison and Custody of the Sheriff of the County afsd. on that occasion should not render — And the said John Eskine by his Attorney aforesaid defended the wrong and injury when &c, and prayed leave of the Court to imparle unto the next Term, and he had it, The same day was given to the said Peter Kuhn and Gustavus Risburg, then, &c —

At which said next Term, to wit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety six, came again into Court the parties aforesaid by their Attornies afsd. And the said Peter Kuhn and Gustavus Risburg by their Attorney aforesaid Declare against the said John Eskine in the plea afsd. in manner & form following, to wit —

The Eastern Shore of Maryland, Talbot County, to wit, } John Eskine and William Gray late of Talbot County, Merchants, Surviving Partners of John Eskine, William Gray and John Blair late of the County aforesaid, Merchants and Copartners were Attached to answer unto Peter Kuhn and Gustavus Risburg, of a plea of Trespass upon the case &c — And whereupon the same Peter Kuhn and Gustavus Risburg by Nicholas Hammond their Attorney, complain, that whereas the said John Eskine, William Gray and John Blair in the lifetime of the said John Blair (which said John Blair hath since departed this life, and whom the said John Eskine and William Gray have survived, and concerning which said William Gray, Daniel Powell Cox, Esquire, the Sheriff of Talbot County aforesaid to whom the Original Writ in this cause was directed and delivered, lately returned that he the said William Gray was not found in his Bailiwick, neither was he resident there,) to wit, on the twelth day of September in the year seventeen hundred and ninety two, at Talbot County afs., were indebted to the said Peter Kuhn and Gustavus Risburg in the sum of five hundred and twenty pounds, ten shillings and four pence Current money, for divers Goods Wares and Merchandizes there before that time sold and delivered by the said Peter Kuhn and Gustavus Risburg to the said John Eskine, William Gray and John Blair in the lifetime of the said John Blair, at their special instance and request. And so therein being indebted, the said John Eskine, William Gray and John Blair in the lifetime of the said John Blair afterwards, to wit the same day and year aforesaid at the County aforesaid, in Consideration thereof Assumed upon themselves and then and there faithfully promised the said Peter Kuhn and Gustavus Risburg to pay them the said Peter Kuhn and Gustavus Risburg the sum of money aforesaid, when they the said John Eskine, William Gray and John Blair should be thereto afterwards required: And whereas also the aforesaid Peter Kuhn and Gustavus Risburg, afterwards, to wit, the same day and year aforesaid at the County aforesaid, had sold and delivered to the said John Eskine William Gray and John Blair, in the lifetime of the said John Blair, divers other Goods, Wares and Merchandizes at their the special instance and request, the said John Eskine, William Gray and John Blair, in the lifetime of the said John Blair, afterwards, to wit, the same day and year aforesaid at the County aforesaid, in consideration thereof them and there Assumed upon themselves, and faithfully promised the said Peter Kuhn and Gustavus Risburg to pay them the said Peter Kuhn and Gustavus Risburg as much Current money for the said Goods, Wares and Merchandizes last mentioned, as the same, at the time of the sale and delivery thereof were reasonably worth, when they the said John Eskine, William Gray and John Blair should be thereto afterwards required. And the said Peter Kuhn and Gustavus Risburg in fact say, that the said Goods, Wares and Merchandizes last mentioned, at the time of the sale and delivery thereof were reasonably worth one other sum of five hundred and twenty pounds ten shillings and four pence Current money of Maryland, to wit, at the County afs. whereof the said John Eskine, William Gray and John Blair, in the lifetime of the said John