

Defendant. Retaining the Debt to Four hundred and Eighty one pounds of Tobacco to the said Plaintiff  
Memorandum of the Court all set to 1000 & 500

James W. Middleton a signee of John W. Carter Junr Judgment by Nonsum Informatus  
Alexr. Smith, Hawkins

Charles County. Alexander Smith Hawkins late of Charles County Gent. otherwise called  
Alexander Smith Hawkins of Charles County Gent. was summoned to answer unto James  
Middleton of a piece that he owes or ought him the sum of four hundred and eighty one pounds  
of good sound merchantable leaf Tobacco in cash, which to him he owes and unjustly detains  
as forth

And whereupon the said W. Middleton late of Charles County Gent. his attorney  
Jas. Alexander Smith, by the name of Alexander Smith Hawkins of Charles County Gent.  
on the twenty fifth day of November in the year of our Lord one thousand seven hundred &  
forty six at Charles County afo. by his certain Writing obligatory under the hand & seal of  
the said Alexander Smith, bearing date the day and year last named, granted him as  
behind and from by bound to the said J. W. Middleton Junr his heirs &c. or assigns in the  
sum of four hundred and eighty one pounds of Tobacco afo. to be paid unto the said  
John W. Carter Junr his certain attorney Esq. or assigns at or upon the first day of  
January next ensuing the date hereof and the said William further saith that the said J. M.  
after the second day of January in the year afo. to wit the second day of  
the year above said at Charles County afo. by his certain Writing obligatory under the hand &  
seal of him the said John W. Carter Junr bearing date the day and year last named  
according to the form & effect of the act of assembly in that behalf made & provided, assigned this  
Writing obligatory to the said W. Middleton as therein mentioned of which said  
assignment the said W. Middleton afterwards to wit on the said second day of March in the year  
last mentioned at Charles County afo. to the said Alexander Smith gave notice and the  
W. Middleton saith that the said Alexr. Smith altho' often requested the said W. Middleton  
thousand pounds of Tobacco afo. to the said W. Middleton paid no any part thereof for the  
same in any or Court then but the same to him to pay hath that he do altogether refused by  
virtue of which and assignment of the act of assembly afo. hath caused to the said W. Middleton  
and require of the said Alexr. Smith the sum of four hundred and eighty one pounds of Tobacco  
Alexr. Smith altho' often requested the said sum of Tobacco, to the said W. Middleton hath not rendered or paid but  
the same to him to render and pay hath that he do altogether refused and so doth refuse to the  
Damage of the said W. Middleton twenty thousand pounds of Tobacco and therefore bringings writ of debt  
and bringings here into Court as well the Writing obligatory afo. as the Writing of assignment  
afo. which the Debt assignment the goods afo. justify the date of the goods the several days  
years afo.

And the said Alexander Smith Hawkins by Henry Darnale his attorney comes before the Court  
in answer thereto and saith that he payed the said writing obligatory afo. and it is read unto him & he  
may appearing of the condition of the said obligation and it is read unto him in these words

The condition of the above obligation is such that if the above bound Alexander Smith  
Hawkins his heirs Executors Administrators shall will and truly pay or cause to be paid unto the  
John W. Carter Junr or his certain attorney Executors Administrators or assigns, the sum of four  
hundred and eighty one pounds of good sound merchantable leaf Tobacco in cash in Charles County afo. or  
at or upon the first day of January next ensuing the date hereof, with legal interest for the same, then  
the above obligation to be void, else to remain in full force and virtue in law but if you shall be examined  
the payment of the said sum of four hundred and eighty one pounds of Tobacco afo. then I Imperator my attorney  
in any Court of Record in the Realm of Great Britain, France or Ireland, or within the province of  
Maryland, or other his Majesty's Dominions to appear for me at the suit of the above mentioned