

November Court Anno Domini 1729

Whereupon into Court here in his proper person comes John Wether of Charles County Gentleman and becomes pledge and security for the said John Wether that if it should happen the said John Wether in the Plea of should be convicted that then the said John Wether should and granted that he would the Damages as all costs which to the said Subman & Hartley in this part should be adjudged of his Lands and Chattels should be made & Sent to and for the use of the said Subman and Hartley that if it should happen the said John Wether the Damages & costs to the said Subman & Hartley should not pay or his body in to the custody of the Sheriff by Reason thereof. And the said John Wether in his proper person comes and defends the force & Injury when he is and says that he cannot deny the action of the said Messrs Subman & Hartley nor but that he did assume upon himself in manner and form as the said Subman & Hartley above against him have complained nor also but that the said Subman & Hartley have sustained Damages by means of not performing the Promises and Assumptions of to one Howard Nine Hundred & fifty Pounds of Tobacco as the said Subman & Hartley above in delating suppose. Whereupon the said Subman & Hartley by Jeremiah Chase their Attorney of forays Judgment and those damages & costs acknowledged together with their Costs and Charges by him about their Suit in this part laid out and Expended to them to be adjudged. Therefore it is considered by the Court here that the said Subman & Hartley do recover against the said John Wether their Damages of Ninety Nine Hundred & fifty Pounds of Tobacco above acknowledged also the sum of One Hundred & fifty Six pounds of Tobacco for their Costs & Charges by him about their Suit in this part laid out and Expended on his & spent by the Court here adjudged and Defined the said John Wether in May 1730

Then Messrs Subman & Hartley, the Dam: 8323/3 Tobacco May Ex: till 10th January next
 R. Andrew Churn. Judgment of Cognovit Actionem

Charles County ss. Andrew Churn late of Charles County Planter was attached to answer unto Messrs Subman and Hartley of plea of trespass upon the Case and so forth
 And Whereupon the same Messrs Subman and Hartley by Jeremiah Chase their Attorney Complain that whereas the said Andrew Churn the Twentieth day of July in the year of our Lord one thousand Seven Hundred and forty Seven at Charles County aforesaid was indebted to the said Messrs Subman and Hartley in the sum of Eight Thousand Three Hundred & twenty Three and one Third of a pound of Tobacco for divers Articles lying properly in an account as by the Particular Account thereof hereunto into Court brought may appear and having so thereof indebted the said Andrew Churn in consideration thereof afterwards to wit the day and year aforesaid in the County aforesaid upon himself assumed and to the said Messrs Subman & Hartley then and thereupon fully promised that he the said Andrew Churn the sum of Eight Thousand Three Hundred & twenty Three and one Third of a pound of Tobacco to the said Messrs Subman & Hartley and well & truly content and pay when thereunto afterwards he should be requested. Nevertheless the said Andrew Churn his Promise and Assumption aforesaid made in the least regarding but minding and fraudulently intending them the said Messrs Subman and Hartley in this part craftily & seditiously to deceive and defraud the said Andrew Churn the said sum of Eight Thousand Three Hundred & twenty Three and one Third of a pound of Tobacco or any part thereof to the said Messrs Subman & Hartley hath not paid or in any sort Contented at this to do the said Andrew Churn was on the Tenth day of June in the year of our Lord one thousand Seven Hundred and forty Eight and often before and since at Charles County aforesaid by the said Messrs Subman & Hartley requested but the said Andrew Churn the said sum of Eight Thousand Three Hundred and twenty Three and one Third of a pound of Tobacco in any sort Contented hath hitherto altogether refused and still doth refuse to the damage of the said Messrs Subman & Hartley Sixteen Thousand pounds of Tobacco and therefore suit is brought and so forth. I Plead: VC. n. Doe Q.

1725	M. Andrew Churn	Q.	Ditto	
December 28	To Cash Making 23/10	N/A	1726	To your account brought up
January 19	To 10 yards fine brown Lin 2/9		May 12	To 2 yards Redd at 26/
February 2	To 10 yards to Rum			To 10 yards Fish Linen at 5/6
March 11	To 10 yards to Rum			To 1/2 lb brown Thread
	To 2 1/2 lb Sugar			To 1/2 lb White Ditto
	To 1/2 lb Oil			To 1 ounce mace &c
12	To 1/2 lb Oil			
	at 10/11/6			Carried up
				81A
				2
				11
				3
				4
				2
				6
				3
				0
				6