

Whereupon y<sup>e</sup> said John Caldwell at y<sup>e</sup> Prayer of y<sup>e</sup> said Thomas Howard is adjudg<sup>d</sup> to give special bail to y<sup>e</sup> action of y<sup>e</sup> Sheriff of y<sup>e</sup> County of Somerset a certain Richard Waters of Somerset County Gentleman Esent here in Court in his proper person undertook for y<sup>e</sup> said John Caldwell that if it should happen that judgment in y<sup>e</sup> plea of y<sup>e</sup> said John should be therein convict that then he y<sup>e</sup> said John should pay & satisfie unto y<sup>e</sup> said Thomas y<sup>e</sup> Judgment of the Court thereupon or under his Body or Execution of such Judgment by y<sup>e</sup> Prison of y<sup>e</sup> Sheriff of y<sup>e</sup> County of y<sup>e</sup> said Satisfaction thereof or that he y<sup>e</sup> said Richard Waters will do y<sup>e</sup> same for him

Whereupon y<sup>e</sup> said John Caldwell puts in his plea Vidditon Demisio and all that saw ag<sup>t</sup> y<sup>e</sup> said Thomas Howard of the said plea

And thereupon at y<sup>e</sup> Prayer of y<sup>e</sup> Court as day is to them here now given unto y<sup>e</sup> next Court to be held at Currier Arm Towne this Tuesday of August then next following in y<sup>e</sup> State that now saving to y<sup>e</sup> parties a

At which day here come y<sup>e</sup> parties as by their atty<sup>r</sup> of y<sup>e</sup> said Thomas Howard complained of y<sup>e</sup> said John Caldwell in sum following

Somerset y<sup>e</sup> John Caldwell Tack of Somerset County Mariner was Mashed to answer unto Thomas Howard of plea of trespass upon y<sup>e</sup> Case & South

And whereupon y<sup>e</sup> said Thomas by William Hayward his atty<sup>r</sup> complains that whereas y<sup>e</sup> said Thomas y<sup>e</sup> Day of Anno Dom<sup>i</sup> MDCCLXX at y<sup>e</sup> County of was possessed of one Hoghead of Rum containing Gallons of y<sup>e</sup> Value of Twelve pounds fourteen shillings current money of Maryland as of his proper Hoghead of Rum being so then possessed by y<sup>e</sup> said Thomas afterwards to wit y<sup>e</sup> same day and year as out of his hands and possession casually lost which said Hoghead of Rum afterwards to wit y<sup>e</sup> same day & year as to y<sup>e</sup> Hands possession of y<sup>e</sup> said John by finding did come nevertheless the said John knowing it to be y<sup>e</sup> Hoghead of Rum of y<sup>e</sup> said Thomas and to him y<sup>e</sup> said Thomas of right to belong and to retain but plotting and fraudulently intending y<sup>e</sup> said Thomas y<sup>e</sup> Hoghead of Rum of y<sup>e</sup> said Thomas and Subtly to Deceive and Defraud the Hoghead of Rum of the then due unto y<sup>e</sup> said Thomas hath not delivered but the Hoghead of Rum afterwards to wit on y<sup>e</sup> Day of Anno Dom<sup>i</sup> MDCCLXX at the County of to his own proper use did convert and Dispose to y<sup>e</sup> Damage of y<sup>e</sup> said Thomas fifteen Pound current money Maryland & thereof he being Suit &

Creditor & J. Dod & N. Wood

And y<sup>e</sup> said John Caldwell by Vidditon Demisio his atty<sup>r</sup> comes and Depnds y<sup>e</sup> four to Injury when & pray sheweth to Injure him until next Court to be held at Currier Arm Towne this Tuesday of Nov<sup>r</sup> then next following & he hath the same day is given to y<sup>e</sup> said Thomas here also &