

June Court ---- 1724 ---- 201

by Levin Gale his attorney complains that whereas the said Benjamin the tenth day of December One thousand Seven hundred and twenty three at the County ass within the Jurisdiction of this Court was Indebted to the said William Clark in the sum of forty five Shillings Court money for certain hand given to the same Benj^d Before that time at his special Instance & request by the said William Clark sold and delivered and so there of being Indebted the same Benj^d in consideration thereof afterwards that is to say the said tenth day of December in the Year ass at the County ass within the Jurisdiction ass upon himself assumed and to the same William Clark then and there faithfully promised that he the said Benjamin when afterwards he should be thereto requested by the said William Clark the said sum of forty five Shillings Court money to the said William Clark he would well and faithfully Content and pay Nevertheless the said Benj^d his promise and assumption ass in form ass made Little regarding but plotting and fraudulently Intending the said William in that part craftily and Subtly to defraud & Deceive the said Benjamin the said sum of forty five Shillings Court money or any part thereof to the said William Clark the said Benj^d afterwards that is to say the thirteenth day of December One thousand Seven hundred and twenty three at the County ass within the Jurisdiction ass was by the said William Clark Requested both not paid or to him for it in any wise Contented but the same Benjamin the same to the said William Clark hitherto to pay or anyway to Content both altogether refused and there doth refuse whereby the same William says he is the worse and hath damage to the value of four pounds ten Shillings Court money of Maryland & there of he brings this Suite &c

A Copy of the foregoing Declaration was made and sent to be served on the doft with writ in & Chas ass. At which said third Tuesday of June to wit the Sixteenth day of the same Month and Year One thousand Seven hundred & twenty four Being the day of the return of the said Writ comes the said William Clark by his attorney ass and the Sheriff of Somerset County to whom the foregoing writ was directed Letwice comes & makes Return thereof to the Court here Enrolled in these words following vizt Copy as follows

Whereupon At the prayer of the said attorney ass and judgment the said Benjamin King is adjudged to give special Bail to the action ass - thereupon a certain Joseph King of Somerset County present here in Court undertakes for the said Benjamin King that if in case the said William Clark shall recover Judgment in the plea ass against the said Benjamin King or that the said Benjamin King shall be thrown out that then he the said Benjamin King shall pay the condemnation of the Court thereupon or tender his Body to the custody of the Sheriff of Somerset County for satisfaction thereof or that he the said Joseph King will do it for him - Whereupon the said Benj^d King by his attorney ass and doth give the force and injury where and the said W. Clark by his attorney ass