fifteenth day of March and Doun One Thousand Seven hundred and Twenty five that the afsd Benjamin Wailes Recover against the afsd Jno Taylor as well the Sum of Nineteen hundred and Ninety Six pounds of Tobo his debt afsd as also the Sum of Two hundred and Ninety Six pounds of Tobo for his Costs and damages Sustained by Reason of the detaining of the Same debt to the Same Benjamin Wailes of his afsd by the Court hereadjudged and the afsd doth in Mercy &c. Memorandm the Clerk Roberts Cit of the Debt afsd fourteen hundred and fifty One pounds of Tobo &c ———

296

Ex. The Same } Commd warrt to the Shff. of Somersett County that he Shoud take
Michael Holland } Michael Holland late of Somersett County Mariner if he Shoud be found
in his Baliwick and him Shoud Safe Keep so that he Shoud have his
body Before the Justices of his Lordships County Court of Somersett to be held at Dividing
Creek the Third Tuesday of March Instant next to answer unto Benjamin Wailes of a plea
of the Case &c. And that Warrt he Shoud not fail &c ———

And whereupon the Same Benjamin Wailes by Lewis Gale his attorney Complaines
that whereas the afsd Michael Holland the thirtieth day of March Seven teen hundred
and twenty five at the County afsd within the Jurr of this Court was Indebted to the afsd Benjn
in the Sum or Quantity of one Thousand and Six ty pounds of Tobo as by a note hereof in Court
brought Signed by the said Michael may appear and is Ware of being Indebted the afsd
Michael in Consideration Whereof afterwards to wit the same day and year afsd at the
County afsd within the afsd Jurr in Consideration thereupon him did assume &c to the
Same Benjn then and there faithfully promised that he when afterwards he Should be
thereunto required he the afsd Sum or Quantity of one Thousand Sixty pounds of Tobo to the
said Benjamin Wailes would well & faithfully Content & pay Never thelefs the afsd
Michael his promis and assumption afsd in forme afsd made Little regarding & of Setting and
fraudulently Intending the same Benjamin in that part to defraud the afsd Sum
of one Thousand & Sixty pounds of Tobo or any part thereof to the Same Benjn Wailes
hath not paid or him for it any wise Contented altho the same to doe the said Michael
afterwards by the same Benjamin viz. the Thirty first day of July in the year afsd
at the County afsd within the Jurr was requested but the afsd Michael the same Sum
to pay or the same Benjamin fait in any wise to Content hath altogether refused
and Still doth refuse Whereby the same Benjamin Wailes Say he is Worse
and hath Damage to the Value of two Thousand Pounds of Tobo and therefore
he Sues &c ———

Lewis Gale Qui gladet &c. Indebt. Rl. Bon