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Layfield at the prayer of the p^{er}s attorney and is ad^{ju}ded to give Spe^{ci}al bail to the action and, but for want thereof the said Thomas Layfield is committed into the custody of the Sher^{iff} of Somerset County, thereto com^{ing}, the said Sher^{iff} being present took charge of the said Thomas Layfield accordingly, thereupon day is given to the said Thomas Layfield in custody as and until next Court and the same day is given to the Def^{en}d^{ant} also —

At which said Next Court to wit the twenty first day of June and Dow. One thousand Seven hundred and twenty Six came again as well the said Joseph M^{rs}ter by his attorney and as the said Thomas Layfield in custody as and and thereupon the Francis Allen of Somerset County Gentleman present here in Court undertakes for the said Thomas Layfield that in case the said Joseph M^{rs}ter shall recover Judgment in the plea and against the said Thomas Layfield or that the said Thomas Layfield shall be therein convicted that then he the said Thomas Layfield shall pay the Condemnation of the Court thereupon or Render his Body to the custody of the Sher^{iff} of Somerset County in Satisfaction thereof, that he the said Francis Allen will do it for him, thereupon the said Thomas Layfield is Discharged from Out of Custody and —

Whereupon the and Joseph M^{rs}ter by his attorney and prays that the and Thomas Layfield to his declaration in the plea and may answer, but the said Thomas Layfield altho' solemnly called came not but made default whereby the and Def^{en}d^{ant} remains against the and Def^{en}d^{ant} wholly undefended &c —

Therefore it is Considered by the Justices here the Same day and Year last mentioned that the and Joseph M^{rs}ter recover against the and Thomas Layfield as well the Sum of three thousand Six hundred and Eighty One pounds of t^{he} his Damages by 436 Qu^{er}ies of premises and as also the Sum of four hundred and thirty Six pounds of t^{he} by the Court here ad^{ju}ded unto him for his Costs and Charges by him about his Suite in this behalf said Out and Expended and the and Def^{en}d^{ant} in mercy &c —

By Benjamin Waites } Somerset s^{er}. William Marlamey Sale of Somerset County ad^{ju}d. of the goods
W^m Marlamey ad^{ju}d. } and Chasell &c of Wincey Marlamey Sale of Somerset County ad^{ju}d. was attached
of Wincey Marlamey ... } to answer unto Benjamin Waites of a plea of trespass upon the Case &c

And whereupon the Same Benjamin by Lewis Gale his attorney Com^{pl}ains that whereas the and Wincey Marlamey in his Life time the tenth day of May One thousand Seven hundred and twenty Six at Somerset County and within the Jurisdiction of this Court was Indebted unto the Same Benjamin

Benjamin