thereupon or Render his Body to the Custody of the Sheriff of Somersett County in Satisfaction thereof or that he the said John Caldwell will do it for him &c

Whereupon the aff Peter Freeny in his own proper person Comes and Defends the force and Injury when &c and saith that he Cannot gainsay the action aff, nor but that he did upon himselfe assume in manner and form as the aff Joseph McChester above against him Supposed neither Can he Say but that the aff Joseph hath Sustained damage by Occasion of the Non-performance of his promise and assumption aff to Eight hundred and twenty Eight pounds of tobo and the same declaration before in all the words expressly Confesseth &c

Therefore it is Considered by the Court here that the aff Joseph McChester Recover against the aff Peter Freeny as well the Sum of Eight hundred and twenty Eight pounds of tobo his damages aff by him in his declaration aforesaid above supposed as also the sum of three
313 hundred & thirteen - - - pounds of tobo for his Cost and Charges by him about his Suite in that part Expended, to the Same Joseph by the Court here of his assent adjudged and &c aff doth in mercy &c

LG. The same
D
GB. Giles Bashaw -

Comminand was given to the Shew. of Somersett County that he Should take Goyles Bashaw Late of Somersett County Planter if he should be found in his Bailywick & him Should safe Keep so that he might have his Body before the Justices of his Lordships County Court of Somersett to be held at Dividing Creek the third tuesday of March Next to answer unto Joseph McChester of a plea of Trespass upon the Case &c & that there of he should not fail &c — And the aff Joseph McChester by Levin Gale his attly proceeded against the aff Goyles Bashaw in the plea aff as follows viz — Somersett ss. Giles Bashaw Late of Somersett County Planter was attached to answer unto Joseph McChester of a plea of Trespass upon the Case &c

And whereupon the said Joseph by Levin Gale his attly Complaines ys whereas ys sd Giles the first day of Novem: anno Dom: one thousand Seven hundred & twenty Six at Somersett County with in the Jur: of this Court was Indebted unto the said Joseph in Six hundred and two pounds of Tob: as by aut: here unto annexed may in Court appear & being so there of Indebted the sd Giles in Consideration there of the day & year aff at ys place aff upon himselfe did assume & to the said Joseph then & there did faithfully promise that he ys said Giles ys said Six hundred & two ds of Tob: to the said Joseph when he should be there unto requested he would well & faithfully pay & Content Nevertheless the said Giles tho: often requested ys said Six hundred & two ds of Tob: to ys sd Jos: hath not paid but the same to him hitherto to pay hath — refused & Still Doth refuse & deny to the Damage of ys sd Jos: of one thousand two hundred & four ds of Tob: & there of he Brings Suite &c — Levin Gale ats Quer & Ledge &c Judge K&c

	Goyles Bashaw		Dr
1722	To Levie a	121	121
	To adverse & Balance Consessys Court		111
1722	To Levie a	150	150
1724	To Dillo a	89	89
	To the Interest		131
			602

Contra — Cr

Saving Errors ats Joseph McChester Late Sherr