

November Court . . . 1729 227

Damages and by way of attachment according to act of assembly &c. Whereupon for that it seems to the Court here that the said John Caldwell has complied with the law as alleged;

Therefore it is considered by the Justice here that the said John Caldwell recover against the said Joseph Holder or well the sum of forty five shillings current money his damages by occasion of the premises and as all costs and charges by the said plaintiff laid out and expended about his suit by way of attachment against the goods chattels rights or credits of the said Joseph Holder according to act of assembly in such case made and provided &c. . .

Ld. Mad^m. Betty Gale } Command was given to the sherr. of Somerset County that he should
Joseph Holder . . . } take Joseph Holder late of Somerset County prisoner if he shall be found in his bailiwick and him should safe keep so that he might have his

body before the Justice of his Lordships County Court of Somerset to be hold at dividing break the third Tuesday of November then next to answer unto Betty Gale of a plea of trespass upon the case &c. and that there of he should not fail &c. -

AND whereupon the same Betty by Lewis Gale his attorney complains that whereas the said Joseph the tenth day of Novemb. came down one thousand seven hundred and twenty eight at Somerset County within the Jurisdiction of this Court was indebted unto the same Betty in the sum of three pound current money of Maryland and thereof being indebted the said Joseph in consideration thereof afterwards viz. the same day and year at the County and within the said Jurisdiction upon himself assumed and to the same Betty then and there faithfully promised that he when afterwards he should be thereto required he the said sum of three pound current money to the same Betty he would well and faithfully content and pay. Nevertheless the said Joseph his promise and assumption and in form and made not regarding but plotting and fraudulently intending her the same Betty in that part craftily and sublimely to deceive and defraud the said three pound current money or any part thereof the same Betty he hath not paid altho. the same to do the said Joseph afterwards viz. the same day and year at the County and within the said Jurisdiction by the same Betty was requested but he the same hitherto to do hath altogether refused and when desired whereby the same Betty says she is worse and hath damage to the value of six pound like money and thereof she brings this suite &c.
L. Gale ff. Quer. Edges &c. Justice K. Roe

All which said third Tuesday of November to wit the eighteenth day of the same month and down one thousand seven hundred and twenty nine being the day of the return of the said Writ Cometh the said Betty Gale by her attorney and the sherr. of Somerset County to whom the foregoing writ was directed ^{delivered} and maketh return thereof to the Court here endorsed viz. none returned &c. Whereupon the said Betty Gale by her attorney and prays that for as much as she has complied with the Law in order to an attachment she may have judgment against the said Joseph Holder for her damages