

hath complained and ascribed the damage of the said John Stewart by default of the non performance of the promise and assumption aforesaid beyond his cost and charges by him about his suit in that part apposed to sixteen pounds seventeen Shillings and ten pence current money and for those cost and charges to one pound of tobacco

Therefore it is considered that the aforesaid John Stewart recover against the aforesaid Mathew Dogan his damages as to sixteen pounds seventeen Shillings and ten pence current money & one pound of tobacco, by the sum aforesaid in form aforesaid ascribed as also one thousand and thirty nine pounds of tobacco for his cost & charges apposed to the said John by the Court here of his a part of damages adjudged which certain damages in the whole do amount to sixteen pounds seventeen Shillings and ten pence current money & one thousand & thirty pounds of tobacco as aforesaid in every way.

Whereupon the aforesaid John Gale & James Riley Special bail of the said Mathew Dogan, prays that for to save themselves from the said recognizance of Bail so as aforesaid entered into, that the said Mathew Dogan may be committed into the custody of the Sher. of Somerset County here to remain until the said Mathew Dogan present here in Court is committed into the custody of the Sher. of Somerset County here to remain until the aforesaid John of his damages and should be fully satisfied. The said Sher. by John Dennis and his deputy present here in Court took charge of the said Mathew Dogan accordingly.

James Edwards } Somerset County. James Lindow late of Somerset County Mariner was attached to answer unto
James Lindow - } James Edwards of Captain of the ship upon the said.

And whereupon the said James Edwards by Francis Allen his attorney complains that whereas the said James Lindow the thirtieth day of September and Dow. One thousand Seven hundred & twenty eight at Somerset County aforesaid within the jurisdiction of this Court indebted unto the said James Edwards, for the said James Lindow at the Special Money of Maryland for Service and Labour by the said James Edwards, for the said James Lindow at the Special Instance and Request of the said James Lindow on board the brigantine Monokini in the name of the said James Lindow was Master before that time there done & performed as by Cert. thereof in unto annexed way in Court appear and being so there of indebted the said James Lindow afterwards to wit the thirtieth day of September at the year aforesaid at Somerset County aforesaid within the Jur. of in Consideration thereof upon his self did promise and to the said James Edwards, then & there did faithfully promise that he the said James Lindow requested well and faithfully he would pay and content and all the said James Lindow two pounds Eighteen Shillings and five pence of the aforesaid fifteen pounds ten Shillings to the said James Edwards he hath paid and satisfied yet as to twelve pounds Eleven Shillings and seven pence residue of the aforesaid fifteen pounds ten Shillings the said James Lindow his promise and assumption in that part castilly nothing regarding but plotting and fraudulently intending the said James Edwards in that part castilly and Subtly to Deceive & defraud the said twelve pounds Eleven Shillings & seven pence to the said James Edwards, altho the same to do the said James Lindow by the said James Edwards on the aforesaid thirtieth day of September in the year aforesaid and after afterwards, at Somerset County aforesaid within the Jur. of aforesaid he was thereunto requested hath not paid as to him for the same in any sort contented but the same to him hitherto to pay or content hath refused and still doth refuse and deny whereupon the said James Edwards, saith he is worn and hath damage to the value of twenty five pounds current money of Maryland aforesaid and therefore he brings Suite &c.

1728 Wd. James Lindow
To my Bond on board of Brig. Monokini for you
from the 2. day of July 1728 to 29. 7. 1728 being
Eight months & twenty seven days at 35. of month is 15400

By Cash paid me at Wd. Wm. Swets . . . 2005
By a Cash Sum at Annapolis 4. 1/2 1/2 . . . 2000
By Cash paid me at Lisbon 2000
21805
Bills due to me is 121107
154000

Errors Accepted of James Edwards.

James Edwards dual to above and in common form - Post the Playward &c.

And the aforesaid James Lindow by James Shiley his attorney comes and defends the force and injury whereunto and prays leave to dispute here until the next Court and to have it & the same day is given to the aforesaid plaintiff also to do. At which said next Court to wit the thirtieth day of June and Dow. One thousand Seven hundred and thirty nine again as well the aforesaid James Edwards as the aforesaid James Lindow by their attorneys aforesaid