

altho' solemnly called comes not nor is his writ aforesaid further prosecuted against the said Humphry Chapman - Therefore it is considered by the Court here that the sd Charles Deasey take nothing by his writ and declaration of but that he and his pledges of prosecuting to wit John Doe and Richd Roe be in mercy and that the sd Humphry goe thereof without day & further it is considered that the sd Humphry Recover against the sd Charles One thousand and four hundred pounds of tobacco for his costs and charges by him about his defence in that part sustained to the same Humphry by the Court here according to the form of the Statute in such case lately made and provided adjudged and that the same doth have the force of Reason in

1004. James Lindon } Somerset County s. Robert Denniston } of Somerset County Weaver
was attached to answer unto James Lindon of a plea of Trespass
1003. Robert Denniston upon the Case &c.

And whereupon the sd James by Francis Allen his Attorney complains that whereas the said Robert the fifth Day of Feb^r and Dond Seventeen Hundred & thirty two at Somerset County and within the Jur. of this Court had accounted together with the said James of sundry sums of Money by the sd Robert to the sd James before that time Due owing & unpaid and upon that acc^t the sd Robert was found in Arrear to him the sd James in the sum of four pounds Eight Shillings & ten pence Curr^t Money of Maryland and being so thereof Indebted the sd Robert in Consideration thereof the Day & Year afores^d at the place afores^d upon himself did assume and to the sd James then & there did faithfully promise that he the sd Robert the sd four pounds Eight Shillings & Ten pence to the sd James when he should be thereunto requested he would ^{and} faithfully pay and content Nevertheless the sd Robert his promise & assumption afores^d in force afores^d made Nothing regarding but plotting & fraudulently Intending the sd James in that part craftily & Subtly to Deceive and Defraud the sd four pounds Eight Shillings & Ten pence to the sd James altho' the same to do the sd Robert by the said James on the afores^d fifth Day of Feb^r in the Year afores^d & often afterwards at Som^t County afores^d he was thereunto requested hath not paid or contented but the same to him hitherto to pay or content hath refused and still doth refuse and Deny to the Damage of the sd James of Eight pounds Seventeen Shillings & Eight pence Curr^t money of Maryland and thereupon he brings Suite &c. - Pledges s. John Doe & R Roe
And the said Robert Denniston by William Beekingham his Attorney Cometh and Defendeth the force and Injury when &c. and prayeth ^{leave} to Surrender hereunto till Next Court and he hath it and the same Day is given to the afores^d James Case also &c. (A H)