

at Somerset County aforesaid within the Jurisdiction of this Court was indebted unto the said Joshua in the quantity of two thousand two hundred and forty nine pounds of tobacco for Levy and Sundry other matters and things properly lying in amount as by an account thereof herewith into Court brought and hereto annexed may appear and the said Thomas being so thereof indebted on Consideration thereof upon himself did assume and to the said Joshua then and there faithfully promise that he the said Thomas the said Two thousand two hundred and forty nine pounds of tobacco when he should be afterwards thereof required to the said Joshua would well and faithfully Content and pay and altho' the said Thomas hath paid to the said Joshua the quantity of One thousand four hundred twenty one pounds of tobacco part of the said two thousand two hundred and forty nine pounds of tobacco Nevertheless as to Eight hundred and twenty eight pounds of tobacco residue of the said two thousand two hundred and forty nine pounds of tobacco the said Thomas his promise and assumption of in manner and form aforesaid made little regarding but plotting and fraudulently Intending the said Joshua in that part rashly and Subtly to deceive and defraud the said Eight hundred and twenty eight pounds of tobacco to the said Joshua hitherto hath not paid or in any sort Contented but the same to him to pay hath altogether refused and still doth refuse altho' by the said Joshua afterwards to witt the day and Year aforesaid at the County aforesaid and often afterwards thereof required whereupon the said Joshua says he is damaged twelve pounds Court money of many kind and thereof he brings Suit the

1731	Thomas Holebrook	.....	.....
1732	To 3 Levys att	85	255
1733	To Mr Allen fees	.....	100
	To Clerk fees	.....	11
	To 2 Levys	105	210
	To Mr Shults fees	.....	200
	To Clerks fee	.....	312
	To Exor. fee	.....	86
	To 6 Subpenas at Suit his Lodging	.....	240
	To bail for do	.....	40
	To Imppanelling Jury d & Ship	.....	120
	To Mr Allen fee	.....	200
	To Mr Benninghams fee	.....	200
	To Interest	.....	25
	To 2 Levys	101 1/2	203
	To Interest	.....	47
			2249
			1421
	Bals Due		828

pledgs & 1000
R Roe

Contra	.....	.....
By allowance for a juror	3 d	34
By allowance for Jeremiah Bright	i	1000
By John Buford	i	320
By 3d juror	i	45
By 11 Jurors	i	22
		1421

A Copy of the foregoing declaration and account were made and sent to be served on the defendant with the writ in the plea aforesaid according to act of assembly in such case made & provided &c

All which said Third Tuesday of March to witt the Eighteenth day of the same month and Dowd One thousand seven hundred & thirty four being the day of the return of the said writ Cometh the said Joshua Caldwell by his attorney aforesaid and the Sheriff of Somerset County to whom the foregoing writ was directed likewise Cometh and maketh return thereof to the Court heretofore in these words following vizt (See Captus deb't delivered

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