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here to give Special bail to the action afo<sup>r</sup> but for want thereof the said James Ludow is committed into the custody of the Sheriff of Somerset County there to remain. The said Sheriff to wit Joseph McClester Gent by Francis Borters his Deputy present here in Court took charge of the said James Ludow accordingly &c.

And whereupon the said James Ludow in Custody as aforesaid in his proper person Cometh and defendeth the force and injury afo<sup>r</sup>. And saith that he cannot gainsay the action afo<sup>r</sup> of the afo<sup>r</sup> Joshua Caldwell nor can he say but that he did assume upon himself in manner and form as the aforesaid Joshua Caldwell above against him hath complained and as to the damage of the same Joshua by him by occasion of the premises in that part sustained the same James saith & confesseth that the afo<sup>r</sup> Joshua hath sustained damages by occasion of the premises beyond his costs and charges by him about his suit in that part appoyed to two thousand five hundred & five and an halfe pounds of tobacco and not more and because the afo<sup>r</sup> Joshua deny's not this but the same allegation confesseth to be true pray's Judgment for those damages above Confessed together with his costs and charges afo<sup>r</sup> to him to be adjudged &c.

Therefore by consent of the parties aforesaid it is considered that the afo<sup>r</sup> Joshua Caldwell recover against the afo<sup>r</sup> James Ludow his damages afo<sup>r</sup> to the afo<sup>r</sup> two thousand five hundred and five and an halfe pounds of tobacco in form afo<sup>r</sup> Confessed as also four hundred & six: 416: ten pounds of tobacco for his costs and charges to the same Joshua by the Court here and consent of the parties afo<sup>r</sup> adjudged and the afo<sup>r</sup> Defendant in mercy &c.

The Same } Command was given to the Sheriff of Somerset County that he should take John  
for John Hollows } late of Somerset County planter if he should be found in his Bailwick and him should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at dividing Creek the third tuesday of March then next to answer unto Joshua Caldwell late high Sheriff of the same County of aplea of trespass upon the case &c. and that thereof he should not fail &c. And the afo<sup>r</sup> Joshua Caldwell by William Beckingham his attorney complained against the afo<sup>r</sup> John Hollows in the plea afo<sup>r</sup> as followeth vizt. Somerset County. John Hollows late of Somerset County planter was attached to answer unto Joshua Caldwell late high Sheriff of the same County of aplea of trespass upon the case &c. And whereupon the same Joshua by W<sup>m</sup> Beckingham his attorney complains that whereas the afo<sup>r</sup> John the tenth day of May in this year of our Lord Seventeen hundred and thirty four at Somerset County was indebted unto the afo<sup>r</sup> Joshua in the sum of two thousand and forty pounds of tobacco being for the like quantity of tobacco by the same Joshua for the use and Service of the same John at his especial instance and request there before that time laid out and expended as by an account thereof herewith vnto Court brought may appear and so thereof being indebted the same John in consideration thereof afterwards to wit the same day and year afo<sup>r</sup> at the County afo<sup>r</sup> upon himselfe did assume and to the same Joshua then & there faithfully did promise that he the same John the same two thousand and forty pounds of tobacco to the afo<sup>r</sup> Joshua when thereof