

above confessed together with his Costs and Charges as to him adjudged &c. Therefore by Consent of the parties it is Considered that the afo James Dutton recover against the afo Philip Taylor his damages as to the afo Nine hundred and Sixty three pounds of tobacco by the same Philip in firm as confessed as also two hundred and ninety pounds of tobacco for his Costs and Charges as to the same James at his request by the Court here and Consent of the parties as adjudged and the afo defendt. in merry &c. --- and afterwards Immediately the said Philip Taylor present here in Court in his proper person and upon this the same Philip Taylor at the prayer of the afo James by his attorney as is Committed into the Custody of the J^{ts} of Somerset County there to remain until the said James of the damages as should be fully satisfied &c.

Ed John Rendale } Somerset s^t Patrick Connelly Late of Somerset County felter-maker was --
W^g. Patrick Connelly } attached to answer to John Wendall of a plea of trespass upon the Case &c
And whereupon the same John by George Douglas his attorney complains that whereas the said Patrick on the first day of May Anno Dom^o Seventeen hundred and thirty three at Somerset County aforesaid within the Jurisdiction of this Court was Indebted to the said John in the sum of four pounds four shillings and fourpence half perry current money of Virginia of the Value of four pounds twelve shillings and ninepence current money of this province for thirty two Gallons and three Quarts of Rum and one barrel by the said John to the said Patrick before that time sold and delivered and the said Patrick being so thereof indebted on Consideration thereof upon himself did assume and to the same John then and there faithfully promise that he the said Patrick the aforesaid sum of four pounds four shillings and fourpence half perry current money of Virginia of the Value aforesaid when he should be afterwards thereto required would well and faithfully content and pay Never the less the afo Patrick his promise and assumption aforesaid in manner and form aforesaid made litle regarding but minding and fraudulently intending the aforesaid John in that part craftily and subtilly to deceive and defraud the aforesaid sum of four pounds four shillings and fourpence half perry current money of Virginia of the Value aforesaid or any part thereof to the said John (altho' the same to doe afterwards viz^t the day and year last mentioned at Somerset County aforesaid within the aforesaid Jurisdiction) the same Patrick by the said John was required) hath not paid or any way contented but the same to him to pay hitherto hath aboged: ther refused and still doth refuse to the damage of the same John ten pounds current money and thereof he brings Suit &c

And the afo Patrick Connelly by William Goldborough his attorney Comes and defends the force and injury when the afo said Patrick that he cannot gainsay the action as of the afo John Rendale nor can he say but that the said Patrick did assume upon himself in manner and form as afo John above against him hath complained and as to the damages as of the same John by him by occasion of the premises in that part sustained the said Patrick both and confesseth that the afo John has sustained damages by occasion of the premises of further than his Costs and Charges by him about his Suit in that part assessed to ~~four pounds twelve shillings and ninepence~~ ^{four pounds twelve shillings and ninepence} current money of Maryland and not more and because the afo John deny's not this but the same allegation confesseth to be true pray Judgment and those damages above confessed together with his Costs and Charges aforesaid to him adjudged &c. Therefore it is Considered by Consent of the parties as that the afo John Rendale recover against the afo Patrick Connelly his damages as to the afo four pounds twelve shillings