

November Court ---- 1733 ---- 88

Costs and Charges by them about their Suit <sup>in this part</sup> apposed to Twenty One pounds Eighteen shillings Current money and not more of the goods and Chattels of the afo James Mills at the time of his death remaining to be administered) and because the afo George and Peter deny not this but the same allegation Confesseth to be true prays Judgment and those Damages above Confessed together with their Costs and Charges afo to them ad judged &c.

Therefore by Consent of the parties afo it is Considered that the afo George Harmanson and Peter Bowdoin of John Bowdoin Recover against the afo Thomas Wise adm<sup>r</sup> of the afo James Mills their Damages afo to the afo Twenty One pounds Eighteen shillings Current money of Maryland as also three hundred and thirty Six pounds of tobacco for their Costs and Charges afo to the same George and Peter at their request by the Court here of Consent of the parties afo ad judged of the goods and Chattels which were of the afo James Mills at the time of his death in the hands of the same Thomas Wise to be administered if so much in his hands he hath, and if so much in his hands he hath not then the Costs afo to be Levied of the proper goods and Chattels of the same Tho<sup>s</sup> Wise and the afo defts. in mercy &c. Whereupon the afo George and Peter by their attorney afo freely here in Court Confessed to the afo Thomas Wise three hundred and thirty Six pounds of tobacco the Costs afo &c. Therefore the same Tho<sup>s</sup> of the same three hundred and thirty Six pounds of tobacco Costs afo be quiet &c.

Q<sup>d</sup>: Thomas Stayton } Somerset's William Hopkins late of Somerset County planter was  
William Hopkins. } attached to answer to Thomas Stayton of a plea of trespass upon the case &  
explains that whereas the aforesaid Thomas at the Especial Request and Instance of the said William on the first day of May Anno Dom<sup>i</sup> Seventeen hundred and thirty Two at Somerset County aforesaid within the Juris of this Court Did pay and Secure to be paid for the said William to a certain John Brittingham the Sum of fourteen pounds Current money of Virginia (which the said Thomas avers to be of the Value of fifteen pounds Eight shillings and four hundred eighty pounds of tobacco Current of Maryland) he the said William on Consideration thereof upon himself did assume and to the same Thomas then and there faithfully promise that he the said William the aforesaid Sum of fourteen pounds Current money of Virginia and the aforesaid four hundred eighty pounds of tobacco when he should be afterwards therunto required to the said Thomas would well and faithfully Content and pay Never the less the said William his promise and assumption afo in manner and form afo made Little regard- ing but minding and fraudulently Intending the afo Thomas in that part craftily and Subtly to deceive Defraud the afo Sum of fourteen pounds Current money of Virginia and the afo four hundred eighty pounds of tobacco or any part thereof to the afo Thomas hath Contented or paid but the same to him hitherto to pay or Content hath altogether refused and Still doth refuse altho<sup>ugh</sup> the same to the said Thomas to pay the afo William on the first day of May and Dom<sup>i</sup> Seventeen hundred and thirty Three at Somerset County afo within the Jurisdiction afo and often afterwards was therunto required whereupon the same Thomas says that he is Damni- fied thirty pounds Current money of Maryland and there of he brings Suit &c.

Whereupon the said William Hopkins present here in Court in his proper person is at the prayer of the said Thomas Stayton <sup>by his attorney afo</sup> ad judged to give Special bail to the action afo but for want thereof the said William Hopkins is Committed into the Custody of the Sheriff of Somerset County there to remain the said Sherrif. to wit Joshua Caldwell present here in Court took Charge of the said William Hopkins accordingly &c.   
pledges of the afo  
A Rec  
whereupon