

(Likewise the said William Benston assumed upon himself) that if in case the said James Laws should recover Judgment in the plea against the said William Benston or that the said William Benston should be therein convicted that then he the said William Benston should pay the condemnation of the Court thereupon or tender his body in Execution of such Judgment to the prison of the Sheriff of Somerset County in Satisfaction thereof or that he the said George Lank will do the same for him &c.

Whereupon the said William Benston in his own proper person cometh and defendeth the force and Injury when &c. and saith that he cannot give any satisfaction of the aforesaid James Laws nor that the said James Laws is indebted to him the said William Benston nor but that he owes the same James the aforesaid thirty two pounds current money of Maryland in manner and form as the said James above against him hath declared whereupon the said James Laws pray Judgment for his debt and his costs and Damages sustained by occasion of the detaining of the same debt to him to be adjudged &c.

Therefore it is considered by the Court here that the aforesaid James Laws Recover against the said William Benston his debt aforesaid and his costs and Damages sustained by occasion of the detaining of the same debt to four hundred & fifty nine pounds of tobacco to the same James of his apent by the Court here adjudged with stay of Execution until the tenth of September next and the aforesaid William Mery &c.

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10034 Joshua Caldwell

In Horsey & John Horsey

Command was given to the Sheriff of Somerset County that he should take John Horsey late of Somerset County Planter Executor of the Testament of William Horsey late of the same County dec. 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 Diving Creek the third Tuesday of March then next to answer unto Joshua Caldwell late high Sheriff of the same County of a plea of trespass upon the Case &c. and that thereof he should not fail &c.

All which said third Tuesday of March to with the eighteenth day of the same month being the day of the Return of the same Writ Cometh the said Joshua Caldwell by William Beckingham his attorney and the Sheriff of Somerset County to wit Joseph M. Foster Gent at the same day made return that the aforesaid John Horsey is not found &c. Wherefore as before command is again given to the Sheriff of Somerset County that he should take the said John Horsey if he so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at Diving Creek the same County