

the said Charles Ramsey assumed upon himself that if in case the said William Benton should recover Judgment in the plea aforesaid against the said Charles Ramsey or that the said Charles Ramsey should be therein convicted that then he the said Charles Ramsey should pay the Condemnation of the Court thereupon or Render his body in Execution of such Judgment to the Prison of the Sheriff of Somerset County in Satisfaction thereof or that he the said John Ramsey will do the same for him &c.

Whereupon the aforesaid Charles Ramsey by William Borchingham his attorney Cometh and defendeth the force and Injury when &c. And saith that he cannot gainsay the action aforesaid of the aforesaid William Benton nor can he say but that he did assume upon himself in manner and forme as the aforesaid William Benton above against him hath complained and as to the Damages of the same William by him by Occasion of the premises in that part Sustained the same Charles Ramsey saith and Confesseth that the aforesaid William Benton hath Sustained Damages by Occasion of the premises beyond his Costs and Charges by him about his suit in that part apposed to Twelve hundred ^{good} Cyprus Boards and not more and because the aforesaid William denyeth not this but the same allegation Confesseth to be true pray pray Judgment for those Damages above Confessed together with his Costs and Charges aforesaid to him to be adjudged &c.

Therefore by Consent of the parties aforesaid it is considered by the Court here that the aforesaid William Benton Recover against the aforesaid Charles Ramsey his Damages aforesaid to the aforesaid Twelve hundred Cyprus Boards in form aforesaid Confessed as also Two hundred ^{good} pounds of Tobacco for his Costs and Charges aforesaid to the same William by the Court here and Consent of the parties aforesaid adjudged and the aforesaid defendeth in Mercy &c.

At John Burnell } Command was given to the Sheriff of Somerset County that he should take John
pe Heber Whittingham } Whittingham late of Somerset County Merchant if he should be
found in his Bailiwick and then should safe keep so that he
might have his body before the Justice of his Lordships County Court
of Somerset to be held at Dividing Creek the third Tuesday of June then next to answer unto
John Burnell of a plea of trespass upon the Case &c. and that thereof he should not fail &c.
And the aforesaid John Burnell by Francis Allen his attorney complained against the said
Heber Whittingham in the plea aforesaid as follows the Viz

Somerset County Heber Whittingham late of Somerset County Merchant was attached to
answer unto John Burnell of a plea of trespass upon the Case &c.
And Whereupon the said John by Francis Allen his attorney complains that whereas
the aforesaid Heber after the first day of May Anno Dni Seventeen hundred & five to wit
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