

Curnall hath sustained ^{Damages} by occasion of the premises beyond his costs and charges by him about his suit in that part appoyed to three thousand and thirty five pounds of Tobacco and not more and because the aff^d John Dany not this but the same allegation Confesse to be true pray Judgment for these damages above Confessed together with his costs and charges aff^d to him to be adjudged &c.

Therefore by Consent of the parties aff^d it is Considered by the Court here that the aff^d John Curnall recover against the aforesaid H^{ob} Whittingham his damages aff^d to the aforesaid three thousand and thirty five pounds of Tobacco in form afores^d Confessed as also three hundred and Sixty two ————— pounds of Tobacco for his costs and charges aff^d to the same John by the Court here and Consent of the parties aff^d adjudged and the aforesaid Defendant in Mercy &c.

Command was given to the sheriff of Somerset County that he should take down ^{Dennis} Dennis Drishill late of Somerset County planter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justices of his Lordships County of Somerset to be held at dividing Creek if this Tuesday of June then next to answer unto Joshua Caldwell of a plea of trespass upon the case &c. And that thereof he should not fail &c. And the aforesaid Joshua Caldwell by George Douglas his attorney complained against the ^{Dennis} Dennis Drishill in the plea aff^d as followeth vizt Somerset s^r Dennis Drishill late of Somerset County planter was attached to answer to Joshua Caldwell of a plea of trespass upon the case &c.

And whereupon the said Joshua by Geo: Douglas his atty complain that whereas the said Dennis on the first day of May Anno: Domini Seventeen hundred thirty four at the County aff^d within the Juris of this Court was indebted to the said Joshua in the quantity of fifteen hundred & Eighty three pounds of tobacco for lawrs officers fees & sundry other matters & things properly lying in account as by an account thereof herewith into Court brought & hereto annexed may appear & the same Dennis being so thereof indebted on Consideration thereof upon himself did assume & to the s^r Joshua then and there faithfully promised that he the said Dennis the said fifteen hundred & Eighty three pounds of tobacco to the said Joshua when he should be thereof afterwards required & to the said Joshua would faithfully pay & content and altho the said Dennis hath paid to the said Joshua one hundred & Seventy five pounds of Tobacco part of the said fifteen hundred & Eighty three pound of tobacco nevertheless as to fourteen hundred & Eighty three pounds of Tobacco residue of the said fifteen hundred & Eighty three pounds of Tobacco the said Dennis his promise & assumption aff^d in form aff^d made nothing regarding but

(minding)