

August Court — — — 1735 — — — (7A)

Of our Lord One thousand Seven hundred thirty and four at Somerset County aforesaid within the Jurisdiction of this Court by his certain writing obligatory did acknowledge himself to be held and firmly bound unto the same Edmond Jennings in the aforesaid Seven hundred pounds of tobacco to be paid to the same Edmond when he should be thereunto requested Nevertheless the aforesaid John altho' after thereunto requested the aforesaid Seven hundred pounds of tobacco unto the same Edmond he hath not as yet rendered but the same to him hitherto to render hath refused and still doth refuse and deny wherefore he saith that he is the worse and hath Damages to the value of two thousand pounds of tobacco and thereof brings the Suit &c. and brings the hereinto Court the writing aforesaid which the debt aforesaid in form aforesaid doth testify whose date is the same day and year aforesaid &c.

Whereupon the said John Bozman by George Douglas his attorney cometh and defends the the force and Injury when &c. and saith that he cannot gainway the action afo' of the afo' Edmond Jennings nor can he say but that the writing obligatory afo' is the deed of him the same John Bozman nor can he say but that he owes the afo' Edmond Jennings the aforesaid Seven hundred pounds of tobacco in manner and form as the afo' Edmond Jennings above against him hath declared wherefore the same Edmond prays Judgment for his debt afo' and his Damages sustained by Occasions of the detaining of the same debt to him to be adjudged &c.

177 Therefore it is considered by the Court here that the aforesaid Edmond Jennings Records against the aforesaid John Bozman his debt afo' and his Damages sustained by Occasions of the detaining of the same debt to One hundred and Ninety Nine pounds of tobacco to the same Edmond of his aforesaid by the Court here adjudged and the afo' John in mercy &c.

Wth Joshua Caldwell } Somerset County ss. John Howry late of Somerset County
a } planter Executor of the testament of William Howry
Wth John Howry Esq' } late of the same County planter dec'd was attached
William Howry } to answer unto Joshua Caldwell late high Sheriff of

the same County of a plea of trespass upon the Case &c. And whereupon the same Joshua Caldwell by Wth Buckingham his attorney saith that whereas the said William Howry in his life time on the first day of January in the year of our Lord Seven hundred thirty three at Somerset County was indebted unto the said Joshua in the sum of two thousand Nine hundred and two pounds of tobacco being for the like quantity of tobacco by the afo' Joshua Caldwell for the use and service of the said William Howry there before that time at his especial Instances and request laid out and expended as by an account thereof herewith into Court brought may appear: wards to wit the same day and year last mentioned at Somerset County in consideration thereof upon himself did assume and to the same Joshua Caldwell there and there faithfully did promise that he the same William Howry the same two thousand Nine hundred and two pounds of tobacco to the same Joshua Caldwell when thereof afterwards he should be required well and truly would pay