

August Court 1735 83
Joseph Miller } Somerset County vs. John Hendry late of Somerset County.

vs. John Hendry } Pedlar otherwise called John Hendry of the County and Province above said
merit. was Sumond to answer to Joseph Miller of a plea

that he rendered unto him eight pounds ten Shillings current money of Philadelphia of the value of eight pounds ten Shillings current money of Maryland which to him he owes and unjustly detained.
And whereupon the said Joseph by George Douglas his attorney says that whereas the said John on the twenty fourth day of November last Term One the said hundred & twenty nine at Somerset County aforesaid by his certain writing obligatory which the said Joseph sealed with the seal of the said John herein to Court brings whose date is the same day & year aforesaid acknowledges himself to owe unto the said Joseph the sum of four pounds five Shillings Philadelphia paper money to be paid to the said Joseph his heirs Ex. Adm. or assigns on the twenty fifth day of January then next ensuing & to the faithful pay: ment thereof by the said writing binds himself the said John his heirs Ex. & Adm. in eight pounds ten Shillings like money of Philadelphia and the aforesaid Joseph in fact says that the said John the said four pounds five Shillings Philadelphia paper money on the said fifth day of January in the said year aforesaid to the said Joseph did not pay by which account he is accused to the said Joseph to require & have of the said John the said eight pounds ten Shillings current money of Philadelphia Nevertheless the said John the said eight pounds ten Shillings current money of Philadelphia to the said Joseph hath not rendered but the same to him to render hitherto hath denied and still doth deny altho' thereto afterwards to wit on the Sixth day of January in the year aforesaid at the County aforesaid after since that time by the said Joseph is the word Nine pounds current money of Maryland & thereof he brings Suit with this that the said Joseph will aver and maintain that the said eight pounds ten Shillings current money of Philadelphia are of the value of eight pounds ten Shillings current money of Maryland.

Edw. Douglas Esq. Att. Ple.

Whereupon a certain John Caldwell and James Anderson of Somerset County Gent. present herein Court in their proper persons are undertook and each of the undertook for the same John Hendry and a promise upon themselves Likewise the said John Hendry present herein Court in his proper person undertook upon himself that if it should happen that Judgment in the plea aforesaid in the same Court should be rendered for the same Joseph Miller against the same John Hendry that then the same John Hendry the said Caldwell and Anderson in the same Court should be bound to the said Joseph Miller would satisfy or his body in Execution of such Judgment to the prison of the Sheriff of Somerset County would tender or that they the said John Caldwell and James Anderson