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for value received by means whereof and by force of the statute in that case lately made and provided the said John became chargeable to pay to the said David the said sum in the said note contained according to the tenor of that note and so being thereof chargeable afterwards to wit the day and year ^{last} at the County aforesaid on consideration thereof upon himself did assume oath to the said David then and there faithfully promise to pay the contents of the said note according to the tenor of the said note Nevertheless the said John his promise and assumption aforesaid in form aforesaid made nothing regarding but minding and fraudulently intending the said David in that part craftily and subtilly to deceive and defraud the said sum in the said note contained or any part thereof to the said David hath not paid or him for the same in any sort contented but the same to him to pay hereto hath refused and still doth refuse altho' thereto afterwards to wit on the fourth day of May Anno Domini seventeen hundred thirty and seven at the County aforesaid and often since that time by the said David required whereupon the said David says he is damaged nine pounds four shillings money of Maryland and thereof he brings suit &c

A copy of the foregoing declaration was made and sent to be served on the defendant with the writ aforesaid according to act of assembly in such case made and provided &c. Bridges J. J. Doe of R. Col.

All which day heretofore the Justices of his Lordships Court of Somerset at dividing Creek came the aforesaid David Wilson by his attorney aforesaid and the sherriffe to wit John Henry Gent at the same day here returned that he had taken the said John Bishop whose body hereat this day he had ready to answer the aforesaid David Wilson of the aforesaid plea as to him it was commanded and the same sherriffe further returned that he had served the same John Bishop with a copy of the declaration aforesaid according to act of assembly in such case made and provided &c.

Whereupon came hereinto Court Abraham Outen Jailer of Somerset County Inholder in his proper person before the aforesaid Justices at dividing Creek and undertook for the aforesaid John Bishop and assumed upon himself (likewise the same John Bishop present herein Court in his proper person assumed upon himself) that if it should happen that Judgment in the plea aforesaid should be rendered for the same David against him the same John or that he the same John should be theron convicted that then he the said John shall pay and satisfy unto the said David the Judgment of the Court thereupon