aſd upon himſelf did aſſume and to the ſaid Duncan thereand there faithfully did promiſe to pay the ſaid ſum in the ſaid note mentioned according to the tenor of that note Nevertheleſs the ſaid Charles his promiſe and aſſumption aſd in form aſd made nothing regarding but minding and fraudulently intending the ſaid Duncan in that part craftily and ſubtilly to deceive and defraud the ſaid ſum in the ſaid note mentioned hath not paid or him for the ſame in any ſort contented but the ſame to him to pay hitherto hath altogether refuſed and ſtill doth refuſe altho: thereto afterwards to witt on the ſecond day of January in the year laſt aſd at the County aſd and often ſince that time by the ſaid Duncan required Whereupon the ſaid Duncan ſays he is damnified ten pounds Curr: money of Maryland and therefor he brings ſuit &c. ____ Bledgeo &c John Doe & Roe

A Copy of the foregoing declaration was made and ſent to be ſerved on the deft with the writt aforeſaid according to act of aſſembly in ſuch caſe provided

Att which day here before his Lordſhipp Juſtices at a Court then held at Dividing Creek came the aſd Duncan Murray by his attorney aſd and the Sheriffe of Somerſet County to witt John Henry Gents. now here returned that he had taken the aſd Charles Rankliffe whose body here at this day he had ready to anſwer the aſd Duncan of the aſd plea as to him it was commanded and further the ſame Sheriffe returned that he had ſerved the ſame Charles Rankliffe with a copy of the declaration aſd according to act of aſſembly in ſuch caſe provided &c. Whereupon came hereinto Court before the aſd Juſtices Mr Lam John Bowen of Somerſet County planter in his proper perſon and undertook for the aſd Charles Rankliffe and aſſumed upon himſelfe Likewiſe the ſame Charles Rankliffe preſent here in Court aſſumed upon himſelfe that if it ſhould happen that Judgment in the plea aſd ſhould be rendered for the ſame Duncan againſt him the ſaid Charles Rankliffe or that the ſame Charles ſhould be therein convict that then he the ſaid Charles ſhould pay and ſatiſfie unto the ſaid Duncan the Judgment of the Court

thereupon