

Benjamin Warrington of a plea of trespass upon the case & and the same day is given to the aff. Benj: there also &
 And hereupon the said Benj: declared against the aff. James in the plea of in form following
 Somerset s. James Townsend late of Somerset County planter was Attached to answer unto Benj: Warrington of a plea of
 trespass upon the case &

And Whereupon the said Benj: by Geo. Douglas his Attorney complains that whereas the said James
 after the first day of May Anno Domini MDCCCLXII to wit on the xxij day of July Anno Domini MDCCCLXII at the County of
 did make his certain note in writing called a promissory note with the proper name and hand writing of the same James
 subscribed and that note to the said Benjamin then and there did deliver by which note the said James did promise to pay to the
 said Benj: or order five pounds Curr: money of Maryland on or before the first day of October next Ensuing the date
 of that note for value received by means whereof and by force of the statute in that case lately made and provided the said
 James became chargeable to pay to the said Benjamin or order the said five pounds according to the tenor of that note
 and so being thereof chargeable afterwards to wit the day and year last of on consideration thereof promised to pay
 to the said Benj: the said five pounds according to the tenor of that note Nevertheless the said James his promise of inform
 af: made not regarding but minding and fraudulently intending the said Benjamin in that part craftily and subtilly to
 deceive and defraud the said five pounds according to the tenor of that note to the said Benj: did not pay or him for the same
 hath he hitherto in any sort contented but that to doe altogether hath denied and still doth deny altho. thereto is
 afterwards to wit the first day of November in the year last of at the County of and often since that time by the
 said Benjamin required whereupon the said Benjamin says he is damaged ten pounds Curr: money of Maryland
 and thereof he brings Suit &
 Pledge G. J. Doe Cr. Pro

A Copy of the foregoing declaration was made and sent to be served on the defend: with
 the writ in the plea aforesaid

At which day here came the aff. Benjamin Warrington by his Attorney
 and the sherriffe to wit John Standy sent now here returned that he had taken the aff. James Townsend whose body
 here at this day he had ready to answer the aff. Benjamin Warrington of the aff. plea as to him it was commanded
 And further the said sherriffe returned that he had served the aff. James Townsend with a copy of the foregoing
 declaration according to ^{act of} assembly in such case made and provided &

Whereupon came hereinto Court a certain Saul Townsend of Somerset County planter in his proper person
 and undertook for the said James Townsend [likewise the said James Townsend present here in Court in his proper
 person assumed upon himself] that if it should happen that Judgment in the plea of should be rendered for
 the same Benj: against the said James or that he the said James should be therein convicted that then he the same James
 should be pay and satisfie unto the said Benjamin the Judgment of the Court thereupon or render his body in Execution
 of such Judgment to the prison of the sherriffe of the County of in satisfaction thereof or that he the same Saul
 Townsend will do the same for him &

And the said James Townsend in his proper person Cometh and defendeth the force &
 Injury when & and the aforesaid Benjamin Warrington prays that the aforesaid James to his declaration aforesaid
 may