

of Indian Corn when he should be afterwards thereto required he would faithfully pay and content  
 Nevertheless the said Patrick his promise <sup>of</sup> in form <sup>of</sup> made not regarding but minding  
 and fraudulently intending the said Levin in that part craftily and subtly to deceive and defraud  
 the said thirty Shillings to be discharged as above mentioned and the said twenty four bushells of  
 Indian Corn or any part thereof to the said Levin hath not paid or him for the same in any sort  
 he hath contented but that to doe altogether hath refused and still doth refuse altho' thereto afterwards  
 to wit the day and year <sup>of</sup> at the County <sup>of</sup> and of ten since that time by the said Levin required  
 Whereupon the said Levin says he is damaged five pounds Curr: money of Maryland and  
 thereof he brings suit &c.

{ Bledges & J. Doe and A. Roe

A Copy of the foregoing declaration was made and sent to the Deft: with  
 Patrick Hervey to Levin Gale

Decemb<sup>r</sup> 6<sup>th</sup> 1740 To a Razor . . . . . £00 2 11 0  
 1740 To a pocket knife and fork . . . . . 11 8  
 To a Linnon Handkerchief . . . . . 3 10  
 To a waisted Cupp . . . . . 9 14  
 To 4 Bushells of salt . . . . . £11 0 10  
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 £1 10 00

These articles to be discharged in Indian  
 Corn 2 twenty pence of Bushell . . . . .

Decem<sup>b</sup> 13<sup>th</sup> 1740 To your engagement <sup>in writing to pay</sup> for Schmael Davis 24 bushells of Corn . . . . .

{ Errors Excepted of Levin Gale

A Copy of the foregoing declaration was made and sent to be served on the Deft: with  
 the writ in a plea <sup>of</sup> . . . . . All which day here came the <sup>of</sup> Levin Gale Esq<sup>r</sup>: by his attorney  
<sup>of</sup>: and the sheriffs to wit John Handy Gent: now here returned that he had taken the <sup>of</sup> .  
 Patrick Hervey whose body hereat this day he had ready to answer the <sup>of</sup> Levin Gale Esq<sup>r</sup>: of the  
<sup>of</sup>: Plea as to him it was commanded . . . . . And further the same sheriffs returned that he served  
 the <sup>of</sup>: Patrick Hervey with a copy of the foregoing declaration according to act of assembly in  
 such case made and provided &c.

Whereupon came hereinto Court a certain Patrick Hervey Esq<sup>r</sup>: of Somerset County  
 planter in his proper person and undertook for the said Patrick Hervey (likewise the said  
 Patrick Hervey present herein Court in his proper person and assumed upon himself that if  
 it should happen that Judgment in the plea <sup>of</sup>; should be rendered for the same Levin Gale  
 against the <sup>of</sup>: Patrick Hervey, or that he the said Patrick Hervey should be therein convicted  
 that then he the same Patrick Hervey should pay and satisfy unto the said Levin Gale the  
 Judgment of the Court thereupon, or render his body in execution of such Judgment to the  
 prison of the sheriffs of the County <sup>of</sup>; in satisfaction thereof or that he the same Patrick  
 Hervey Esq<sup>r</sup>: will do the same for him &c.

And the aforesaid Patrick Hervey <sup>in his proper person</sup> comes and defends the force and injury  
 when <sup>of</sup>: and saith that he cannot deny the action aforesaid of the aforesaid Levin Gale nor can he say but that  
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