

and defraud the aforesaid Six pounds thirteen shillings and nine pence or any penny thereof according to the tenor of the note aforesaid he hath not paid or him for the same in any sort contented altho' he saith to do the said Benjamin afterwards to wit the twenty fourth day of March in the year last above mentioned and often since that time at Somerset County aforesaid by the same John was requested but the same to him to pay or in any sort contented the said Benjamin hath altogether refused and still doth refuse to the damage of him the said John thirteen pounds current money of Maryland and thereof he brings a bill of exchange upon the said John to be paid on the spot with the bill in the plea aforesaid.

Whereupon came here into Court a certain Robert Adkins of Somerset County planter in his proper person and undertook for the said Benjamin Warrington (likewise the said Benjamin Warrington present herein Court in his proper person and assumed upon himself that if it should happen that Judgment in the plea aforesaid should be rendered for the same John Henry against the aforesaid Benjamin Warrington or that he the said Benjamin Warrington should be therein convicted that then he the same Benjamin Warrington should pay and satisfy unto the said John Henry the Judgment of the Court thereupon or tender his body in execution of such Judgment to the prison of the Sheriff of the County aforesaid in satisfaction thereof or that he the same Robert Adkins will do the same for him)

And the aforesaid Benjamin Warrington in his proper person comes and defends the force and Injury when it is said that he cannot deny the action aforesaid of the aforesaid John Henry nor but that he did assume upon himself in manner and form as the aforesaid John above against him hath complained and as to the damage of the same John by him by occasion of the premises in that part sustained the said Benjamin saith and acknowledgeth that the aforesaid John hath sustained Damages by occasion of the premises beyond his Costs and Charges by him about his Suit in this part apposed to Six pounds thirteen shillings and nine pence current money of Maryland and not more and because the aforesaid John denies not this but the same Allegation grants to be true pray Judgment for those damages above acknowledged together with his Costs and Charges aforesaid to him to be adjudged

Therefore by Consent of the parties aforesaid It is considered that the aforesaid John Henry recover against the aforesaid Benjamin Warrington his damages aforesaid to the aforesaid Six pounds thirteen shillings and nine pence current money of Maryland by the same Benjamin in form aforesaid acknowledged as also:

his Costs and Charges aforesaid to the same John at his request by the Court now here adjudged which certain damages in the whole amounts to Six pounds thirteen shillings and nine pence current money of Maryland and

four pounds of tobacco for

the aforesaid Benjamin in mercy

David Wilson	Dr.	Tarrell Brown to David Wilson	
Tarrell Brown		Feb. 11: 1740 To Cr: Clamer Knigs Estate for	£00 13 2
		To a Gallon Rum	00 11 6
		To 1/2 Gallon Brandy	00 11 6
			<u>£1 11 8</u>

Error Excepted
David Wilson

February the 4th 1740. Came David Wilson before the subscriber and prayed the above account according to act of assembly Sam^l Wilson

February 4th 1740. Then Tarrell Brown confessed Judgment to David Wilson for twenty ^{one} shillings and eight pence and two and six pence Costs . before . Sam^l Wilson