

afterwards to wit the af. third day of Novr in the year seventeen hundred and thirty Eight af. at Somerset County af. upon himself did Assume and to the said Joseph then and there did faithfully promise to pay him the said sum of money according to the tenor of the same note yett the said John his promise and Assumption af. in form af. made nothing regarding but plotting and fraudulently intending intending the said Joseph in that part craftily and Subtily to deceive and defraud the said four pounds in bills of Credit Curr. money to the said Joseph according to the tenor of the said note hath not paid or Contented altho. the same to do the said John by the said Joseph on the af. last day of Aprill Anno Dom. Seventeen hundred and thirty nine and often afterwards at the County of Somerset af. he was thereunto requested but the same to him hitherto to pay hath refused and still doth refuse and deny Whereupon the said Joseph saith he is worse and hath damage to the value of eight pounds Curr. money of mainland and thereupon he brings Suit - Medg. v. John Doe R. Roe.

And the af. John Evans by George Douglas his Attorney Comes and defends the force and Injury when & and saith that he cannot deny the Action af. of the af. Joseph Enalls nor but that he did Assume upon himself in manner and form as the af. Joseph above against him hath complained and as to the damage of the same Joseph by him by Occasion of the premises in that part sustained the said John saith and Acknowledgeth that the af. Joseph hath sustained Damages by Occasion of the premises beyond his Costs and Charges by him about his Suit in this part appoyed to four pounds in bills of Credit Curr. money and not more and because the af. Joseph deny not this but the same allegation grants to be true pray Judgment for those damages above acknowledged together with his Costs and Charges af. to him to be adjudged &c.

Therefore by Consent of the parties af. it is Considered that the af. Joseph Enalls recover against the af. John Evans his Damages af. to the af. four pounds in bills of Credit Curr. money by the same John in form af. Acknowledged as also:

236. Two hundred and fifty eight - pounds of tobacco for his Costs and Charges af. to the same Joseph at his request by the Court now here adjudged which certain damages in the whole amounts to four pounds in bills of Credit Curr. money and. pounds of tobacco and the af. John in mercy &c.

Ed Levin Gale Esq. Command was given to the sheriffe of Somerset County that he should take Abraham Coderly late of Somerset County planter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of June Anno Dom. one thousand seven hundred and forty one to answer unto Levin Gale Esq. of a plea of trespass upon the Case &c. and the same day is given to the af. Levin here &c.

At which day here came the af. Levin Gale by his Attorney Geo. Douglas and the sheriffe to wit John Handy Gent. now here returned that he had taken the af. Abraham Coderly whose body here at this day he had ready to answer the af. Levin Gale of the af. plea as to him it was Commanded Whereupon