

Somerset County s<sup>r</sup> Thomas Fletcher late of Somerset County Clerk was summoned to answer unto Joshua Caldwell of plea of  
 that he renders unto him twenty pounds Cash Maryland Currency and two hundred Seventy pounds of tobacco which to him he owes  
 and unjustly detains &c And Whereupon the said Joshua by Francis Allen his Attorney saith that whereas the said Joshua at  
 a County Court of the Right Hon<sup>ble</sup> the Lord Proprietary of this province held at dividing in the County of Somerset in & for the  
 said County of Somerset the third Tuesday of June Anno Dom<sup>o</sup> Seventeen hundred and thirty five before John Smith Gent<sup>l</sup> and his  
 Associates Justices of the said County Court then being by the Consideration of the said Court as Assignee of John  
 Alkinson recovered against the said Thomas by the name of Thomas Fletcher late of Somerset County Clerk at dict<sup>o</sup> The Reverend  
 Thomas Fletcher of the same County and province Gent<sup>l</sup> as well a certain debt of twenty pounds Cash Maryland Currency as also two  
 hundred and Seventy pounds of tobacco which to the said Joshua in the same Court were adjudged for his damages which he had  
 by Occasion of the detaining of the said debt as by the record and proce<sup>s</sup>s thereof in the said County Court of the Right Hon<sup>ble</sup>  
 the Lord Proprietary here at Somerset County s<sup>r</sup> more fully and at large appears which Judgment as yett remains in his full  
 Strength force and Effect in no sort reversed vacated annulled or Satisfied and the said Joshua as yett hath not sued out any  
 Execution of the said Judgment by which Acc<sup>o</sup>n Accrues to the said Joshua to have and require of the said Thomas the s<sup>r</sup>  
 twenty pounds Cash Maryland Currency and two hundred and Seventy pounds of tobacco Nevertheless the said Thomas tho'  
 often required the said twenty pounds Cash Maryland Currency and two hundred and Seventy pounds of tobacco to the said Joshua  
 as yett hath not rendered but the same to him hitherto to render hath denyed and still doth deny whereupon the said Joshua saith he is  
 worse and hath damage to the value of forty pounds Curr<sup>t</sup> money of Maryland and thereupon he brings Suit &c

A Copy of the foregoing declaration was made and sent to be served on the de<sup>ft</sup> with the writ s<sup>r</sup> in order for a speedy Tryall  
 At which day here came the s<sup>r</sup> Joshua Caldwell by his Attorney s<sup>r</sup> and the sheriffe to wit John Handy Gent<sup>l</sup> no where  
 returned that he had taken the s<sup>r</sup> Thomas Fletcher whose body here at this day he had ready to answer the s<sup>r</sup> Joshua Caldwell of the  
 s<sup>r</sup> plea as to him it was Comanded And further the s<sup>r</sup> sheriffe returned that he had served the s<sup>r</sup> Thomas with a copy of the foregoi<sup>ng</sup>  
 declaration according to Act of Assembly in such Case made and provided &c

And the aforesaid Thomas Fletcher by Robert Benjamin Henry his attorney Cometh and defendeth the force and  
 Injury when &c and thereupon the aforesaid Joshua Caldwell prays that the aforesaid Thomas Fletcher to his declaration  
 s<sup>r</sup> may answer Whereupon the aforesaid Thomas hath until Wednesday the second day of this term, to him here given, by  
 the Court to answer &c and the same Thomas at the same day altho' solemnly called, to answer Cometh not, nor the same  
 attorney of the aforesaid Thomas, for him the said Thomas saith nothing thereof, in bar or preclusion of the action s<sup>r</sup>  
 of the aforesaid Joshua, by which the same Joshua Remaneth, against the same Thomas thereof undepended &c

Therefore it is considered that the s<sup>r</sup> Joshua Caldwell Recover against the s<sup>r</sup> Thomas  
 Fletcher his debt aforesaid and his damages by Occasion of the debt s<sup>r</sup> to  
 pounds of tobacco to the same Joshua s<sup>r</sup> as aforesaid adjudged by the Court here adjudged with stay of s<sup>r</sup> until the  
 tenth day of November then next following and the s<sup>r</sup> s<sup>r</sup> in money &c