

provided the said John Holt became chargeable to pay to the said John Wildman the said sum of money according to the tenor of the aforesaid note and so being chargeable the aforesaid John Holt in consideration thereof afterwards to wit on the aforesaid Eleventh day of December in the year seventeen hundred and forty above said at the County of Somerset aforesaid upon himself did assume and to the said John Wildman then and there did faithfully promise that he the said John Holt the aforesaid sum of money according to the tenor of the said note to the said John Wildman he would well and faithfully pay and content Nevertheless the said John Holt his promise and assumption aforesaid in manner and form aforesaid made nothing regarding but plotting and fraudulently Intending the said John Wildman in that part craftily and subtilly to deceive and defraud the aforesaid sum of money to the said John Wildman according to the tenor of the said note hath not paid or contented altho' the same to do the said John Holt by the said John Wildman on the aforesaid Eleventh day of December in the year seventeen hundred and forty aforesaid and often afterwards at Somerset County aforesaid he was thereunto requested but the same to him hitherto to pay or content hath refused and still doth refuse and deny to the damage of the said John Wildman of thirty two pounds ten shillings current money of Maryland and thereupon he brings Suit &c. Pledge &c. J. Doe. Petoe

A copy of the foregoing declaration was made and sent to be served on the deft in order for a speedy Tryall... Att which day here came the aforesaid John Wildman by his Attorney aforesaid and the sheriff to wit John Handygent now here returned that he had taken the aforesaid John Holt whose body here at this day he had ready to answer the aforesaid John Wildman of the aforesaid plea as to him it was commanded... And further the said sheriff returned that he had served the aforesaid John Holt with a copy of the foregoing declaration according to Act of Assembly in such case made and provided &c.

And the aforesaid John Holt in his proper person cometh and defendeth the force and Injury when &c. and saith that he cannot deny the action aforesaid of the aforesaid John Wildman nor but that he did assume upon himself in manner and form as the aforesaid John Wildman above against him hath complained and as to the damage of the same John Wildman by him by Occasion of the premises in that part sustained the same John Holt saith and Acknowledgeth that the aforesaid John Wildman hath sustained damages by Occasion of the premises beyond his costs and Charges by him by about his suit in that part apposed to Sixteen pounds five shillings and not more and because the aforesaid John Wildman deny not this but the same Allegation grants to be true prays Judgment for those damages above Acknowledged together with his costs and Charges aforesaid to him to be adjudged &c.

Therefore by Consent of the parties aforesaid it is Considered that the aforesaid John Wildman recover against the aforesaid John Holt his damages aforesaid to the aforesaid Sixteen pounds five shillings by the same John Wildman in form aforesaid Acknowledged as also: pounds of tobacco for his costs and Charges aforesaid to the same John Wildman at his request by the Court now here of the Assent of the parties aforesaid adjudged which certain damages in the whole amounts to Sixteen pounds five shillings: and

Holt in mercy &c. Whereupon the said John Wildman present here in Court freely releaseth unto the aforesaid John Holt ten pounds parcels of the aforesaid sixteen pounds five shillings in form aforesaid Confessed &c. Therefore the same John Holt of the same Ten pounds be quiet &c.

St. Thomas Small } Command was given to the sheriff of Somerset County that he should take Joseph Lewis late
for Joseph Lewis } of Somerset County planter if he should be found in his backwick and him should safe keep so that