did make his Certain Note in Writing Called a promissary Note With his Proper hand and
hand thereto then & there subscribed the date whereof is the same day & Year aforesaid by which same note
the same John Did promise to pay or cause to be paid unto the said Thomas or his Order on or before
the tenth day of July next Ensuing the date of the Note aforesaid for Value Rec.d the Sum of three
Pounds seventeen Shillings & ten pence Current money of Maryland & then & there which sd said
John became liable to pay unto the said Thomas the Sum of Money aforesd in sd Note aforesd
Mentioned and so thereby liable being sd said John in Consideration thereof afterwards, to wit,
the same day & Year aforesaid at the County aforesaid upon himself Did Assume and to
the said Thomas then & there faithfully Promise that he the said John the Sum of money aforesd
when he should be thereto afterwards Requirded unto sd said Thomas well & faithfully would
pay & Content. Nevertheless the said John his promise and Assumption aforesd in form aforesaid made
Not Regarding the debt or Money aforesd unto sd said Thomas Hath not paid or Sum for the same
in any sort Contented (although the same to do the same John afterwards, to wit, the same day
& Year last aforesd and at divers times at the County aforesd by sd said Thomas was Required) but the
same to him to pay hitherto hath Refused and still doth Refuse Whereupon the said Thomas
Says he is wise and hath Damage to the Value of three pounds Current money of Maryland
and therefore he brings Suit &c. Ath

Pledges &c. John Doe and Richard Roe

A Copy of the foregoing declaration was made and sent to be Served on sd Defendant & order for
a Speedy Tryall. At which day here Came the aforesaid Thomas Muir by Wm Hayward his
Attorney and the Sheriffe to wit John Dennis Gentleman now here Returned that he had
taken the aforesaid John Waller whose Body here at this day he had Ready to Answer the aforesaid
Thomas Muir of a Plea &c. to him if was Commanded and further the same
Sheriffe Returned that he had Served the aforesaid John Waller with a Copy of the foregoing
Declaration according to Act of Assembly in Such Case provided &c.

Whereupon sd said John Waller at the Prayer of the aforesaid Thomas Muir is adjudged to give
Special Bail to the Action aforesaid Thereupon A Certain Jacob Spear of Somerset County Planter
& present herein Court in his proper person undertook for sd said John Waller that if it should
happen that Judgment in sd Plea aforesaid Should be Rendered for sd said Thomas Muir
against the aforesaid John Waller or that he the said John Should be therein convict
that then he the said John Should pay & Satisfie unto the aforesaid Thomas sd Judgment of
sd Court thereupon or Render his Body in Execution of Such Judgment to the Custody
of the Sheriffe of sd County aforesd in Satisfaction thereof or that he the said Jacob Spear
will do & Cause for him to be done &c.

And thereupon the said John Waller by Littleton Dennis his Attorney Comes and Defends
the force and Injury when &c. And Saith that he cannot deny the action of the aforesaid Thomas
but that he did Assume upon himself in manner & form as the aforesaid Thomas above against
him hath Complained and as to the Damages of the same Thomas Muir him by occasion
of the Premises in that part Sustained the same John Saith & Acknowledgeth that the
aforesaid Thomas hath Sustained Damages by Occasion of the Premises Beyond his Costs &
Charges by him about his Suit in that part Expended to three pounds Seventeen
Shillings & ten pence Current money & not more & because the aforesaid Thomas demands this
but the same Allegation Grants to be true Prays Judgment for those Damages above
Acknowledged together with his Costs & Charges aforesaid to him to be adjudged

Therefore by Consent of the Parties aforesaid it is Considered that the aforesaid Thomas Recover against the said
John his Damages aforesaid to the aforesaid three pounds Seventeen Shillings & ten pence Current money
by the same John in form aforesaid Acknowledged as also

Pounds
Costs