

The same day, Comm^d at above

Thomas Moolson p^t
ag^t
John Avery def^t

Summons to J^r John Avery Esq^r of Som^{er}set County
was summoned to answer unto Thomas
Moolson in an Action of C^{ase} &c

And whereupon the said Th^o Moolson for himselfe saith
That about two years & a half since John Avery did
borrow of the p^t rights for one hundred Acres of Land
And did Assume upon himselfe a promise that he would
within one year next after the Plaintiffe had Assigned by
rights over to him restore him Rights againe to the quantity
of one hundred Acres of Land or otherwise make him Satisfaction
But he the s^d John Avery Little Regarding his promise &
Assump^{tion} But fraudulently intending to deceive him by
said Thomas of the said Rights for one hundred Acres
of Land which hath been often demanded but hath denied
& still doth to make any Satisfaction for the same whereupon
the p^t saith he is Damified And hath Damadge to the value
of some hundred pounds of Tobacco & thereupon bringeth Pet
Bills, &c

The Def^t appears & avoweth that he did borrow
two rights of the p^t whereupon by Coll^o and^o that the
Def^t John Avery pay unto the Plaintiffe Thomas
Moolson rights for one hundred Acres of Land wth
Cost of Bills that execution / /

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