

June Court 1724 207

Thomas Dixon } Francis Mercer late of Stequoy Parish in Somerset
 agt. } County Manner was attacked to answer unto Thomas Dixon of Stequoy of
 Francis Mercer } the 1st upon the 1st of June. And whereupon the same Thomas by Francis Allen

his attorney complains that whereas the said Francis Mercer the thirtieth day of October in the year
 of Our Lord God One thousand Seven hundred and twenty at the Somerset County and within the Jur-
 of this Court was indebted unto the said Thomas the sum of twelve pounds and two Shillings
 of Law full money of America as by an account thereof hereunto sent ready to be produced may
 appear and so there being indebted the said Francis Mercer afterwards that is to say the same thirtieth
 day of October in the year aforesaid at the County aforesaid and within the Jurisdiction aforesaid in consideration there-
 of upon himself did assign and unto the said Thomas the said Francis Mercer the same twelve pounds two Shillings money aforesaid the same Thomas when there of
 afterwards he should be required well and faithfully would pay and Content and altho the said Francis Mercer
 Nine pounds thirteen Shillings full of the said twelve pounds two Shillings to the said Thomas
 he hath paid and satisfied yet to two pounds Nine Shillings residue of the said twelve pounds two
 Shillings the said Francis Mercer promise and assumption aforesaid made Little regarding but getting
 and fraudulently intending the same Thomas in this part fastening and Subtly to deceive and defraud
 the said two pounds Nine Shillings or any part thereof unto the same Thomas hath not paid or in-
 any part Contented (altho to do the same the said Francis Mercer afterwards to wit the first day of
 May in 3 year of Our Lord God One thousand Seven hundred and twenty One and often afterwards
 at the County aforesaid the Jurisdiction aforesaid by the said Thomas was requested) but that unto him hitherto to
 pay or in any way Intent altogether hath refused and still doth refuse to the damage of the
 said Thomas of four pounds Eighteen Shillings money aforesaid & thereupon he bringeth Suit a-

1720. Capt Francis Mercer - Do Attorney Dnr pleads Dnr Dd doth the
 To Sales of my horse in Barbados - £100 0 0
 To 2x light Gun full or. Boud. 1000g } ... on 1720
 Red by Jeremiah's Hand }
 To saddle put on Board three warlike ad 5 pound - on 15 00
 To your promise to abide of freight for my horse on 10 00
 12 22 00
 Error Excepted in Thomas Dixon. Duly you

Whereupon at the prayer of the plaintiff attorney aforesaid the said Francis Mercer is adjudged to give
 bail to the action aforesaid thereupon a certain Levi Gale of Somerset County Gentle. present here in Court
 undertakes for the said Francis Mercer that in case the said Thomas Dixon shall recover Judgment in the
 plea aforesaid against the said Francis Mercer or that the said Francis Mercer shall be therein convicted that then
 he the said Francis Mercer shall pay the Satisfaction of the said Judgment or tender his Body to the
 Custody of the Sheriff of Somerset County in such fashion thereof or that he the said Levi Gale will do &
 for him - Whereupon the said Francis Mercer by Levi Gale his attorney for & defends the force
 and Injury when & said say that he cannot answer the said his action aforesaid so as aforesaid against him -
 (brought)