

June Court - - - 1723 - - 64 -

Other wise Legally Just that then, the said Patrick Simpson shall pay the Condemnation of the Court thereupon and all Costs arising unto the said John Aisher and Mary Glouwell or that he the said Joseph M. Carter will do it for him.

Command was given to the Sher. of Sommersett County by Francis Allen Esq. that he should take Arthur Hayman of Stegney Parish in the County of Sommersett and him should safe keep so that he might have his Body before the Justices of his Lordships County Court of Sommersett to be had at Dividing Week the third Tuesday of June then next to answer unto Patrick Simpson of Agles of Trespass upon the Case and that thereof he should not fail.

And the said Patrick Simpson by Francis Allen his attorney proceeded against the said Arthur Hayman in the Plea of Trespass as followeth viz. -

Sommersett County vs. Arthur Hayman of Stegney Parish in the County of Sommersett plaintiff was attached to answer unto Patrick Simpson of Agles of Trespass upon the Case.

And where upon the said Patrick by Francis Allen his attorney Complaines that whereas the said Arthur the Twentieth day of November in the year of our Lord God One thousand Seven hundred and twenty two at Sommersett County and within the Jurisdiction of this Court was indebted unto the said Patrick in the Sum of Seven pounds Six Shillings and Nine pence to be paid in Cash at the late of twelve Shillings and Six pence of hundred as by a Note by the said Arthur signed dated the day and Year aforesaid may in Court appear and so there of being indebted the said Arthur after wards to witt the same Twentieth day of November in the Year aforesaid at the County aforesaid and within the Jurisdiction aforesaid in consideration thereof did assume upon himself, and unto the said Patrick then and there faithfully did promise that he the said Arthur the same Seven pounds Six Shillings and Nine pence in Cash at twelve Shillings and Six pence of hundred unto the same Patrick when there of afterwards he should be required unto the same well and faithfully would pay and Content Nevertheless the said Patrick Arthur his Promise and obligation aforesaid so as it is said made Nothing regarding but minding and fraudulently Intending the same Patrick in that part Craftily and Subtly to deceive and defraud the said Seven pounds Six Shillings and Nine pence or any part thereof unto the same Patrick hath not paid or in any sort Contented altho' to do the same the said Arthur afterwards to witt the said Twentieth day of November in the Year of our Lord God seventeen hundred and twenty two aforesaid and often afterwards at the County aforesaid within the Jurisdiction aforesaid by the said Patrick he was required but that unto him neither to pay or in any sort to Content altogether hath refused and still doth refuse to the damage of the said Patrick of fourteen pounds Current money of this Province and there upon he bringeth In Debt -

Allen of the Exchequer Dept. In Doe R. Cal.

A Copy of the foregoing declaration was made and sent with the Writ in the Plea aforesaid At which said third Tuesday of June to witt the Nineteenth day of the same month aund. Dowd. One thousand Seven hundred and twenty three Being the day of the return of the said Writ Comers the said Patrick Simpson by his attorney aforesaid and the Sher. of Sommersett County aforesaid to whom the foregoing writ was Directed -

(Side vice)