

Quasion of the non performance of the promise and assumption as besides his Costs and Charges in this behalf Said Out and Expended to thirteen hundred and Sixty eight pounds of tobo

Therefore it is Considered by the Justices here the fifteenth day of March and did One thousand Seven hundred and twenty five that the said Thomas Dastice Recover against the said Ann Rowshaw as well the Sum of thirteen hundred and Sixty eight pounds of tobo his damages by Quasion of the promise as in form as by the Justice assest as also the Sum of Two hundred & Sixty one pounds of tobo by the Court here adjudged unto him for his Costs and Charges by him about his Sute in this behalf Said Out and Expended and the said Dost in Meryce

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Mary Martin Ex^{or} of Robert Martin

Command was given to the Sherif of Somerset County that he should take the Ann Rowshaw late of Somerset County Spinster if she shall be found in his Bailiwick and her safe Keep so that he might have her Body before the Justices of his Lordships County Court of Somerset to be held at Dwiding Creek the

The Same

third tuesday of March next to answer unto Mary Martin Ex^{or} of the last will & testament of Robert Martin late of Somerset County dec^d. of a plea of trespass upon the case &c. and that there of she should not fail &c. And the said Mary Martin Ex^{or} as as by her attorney

Declared against the said Ann Rowshaw in this plea as followeth viz^t -

Somerset p^t. Ann Rowshaw late of Somerset County Spinster was attached to answer unto Mary Martin Ex^{or} of the last will and testament of Robert Martin late of Somerset County dec^d. of a plea of trespass upon the case &c. And whereupon the same Mary by Leon Gale her attorney complains that whereas the said Ann the tenth day of May Seventeen hundred & twenty four at Somerset County and within the Jur^{is} of this Court was Indebted to the same Robert in his Life time in the Sum of thirteen hundred & eleven pounds of tobo as by tit. herewithin Court p^{ro}ved May appear & so thereof being Indebted the said Ann in consideration thereof afterwards to with the same day and year as of the County and within the Jur^{is} as upon himself assumed & to the same Robert in his Life time then & there faithfully promised that she when afterwards she should be thereto requested the the Sum of thirteen hundred & eleven pounds of tobo to the said Rob^t would well & faithfully Content & pay never the less the said Ann her promise & assumption of promise as made Little regarding & plotting & fraudulently Intending the same Rob^t in his Life time & the said Mary since his death to whom Execution of the last will & testament of the same Rob^t since his death was in due form of Law committed in this part hastily & subtilly to defraud & deceive the said Ann the said Sum of thirteen hundred & eleven pounds of tobo to the said Robert in his Life time or the said Mary since his death hath not paid or either of them for it in any wise Contented altho the said Ann the same to doe afterwards viz^t the tenth day of June Seventeen hundred & twenty four by the said Robert in his Life time & the tenth day of June Seventeen hundred & twenty five by the said Mary since his death was at the County and within the Jur^{is} as there to requested but the said Ann the same neither to to pay both altogether refused & Still doth the use whereby the said Mary Says that she is over & hath dam to the value of three thousand pounds