

McCarter hath Sustained Damage by occasion of w<sup>ch</sup> non performance of her  
Promise & assumption a<sup>nd</sup> to four hundred & eighty eight p<sup>ts</sup> of 1000 &  
the same Declaration in all the words before Expressly Confesseth

Therefore it is Considered w<sup>ch</sup> a<sup>nd</sup> Joseph McCarter recover against w<sup>ch</sup>  
a<sup>nd</sup> Mary Godwin as well w<sup>ch</sup> Sum of four hundred & eighty eight p<sup>ts</sup> of  
1000 his Damages a<sup>nd</sup> by him ~~acted~~ in his Deed<sup>s</sup> above supposed as also w<sup>ch</sup>  
313 Sum of three hundred and thirtyn - - - - - pounds of 1000 for his Costs &  
Charges by him about his suite in w<sup>ch</sup> part referred to w<sup>ch</sup> same Joseph by  
the Court here of his a<sup>nd</sup> judged & the a<sup>nd</sup> Debt in Mercy &c

24. The Same - - - - - Command was given to the sherr of Som<sup>set</sup> County that he should  
William Porter late of Som<sup>set</sup> County planter if he should be found in  
his Bailly with a<sup>nd</sup> him should safe keep so that he might have his  
Body before the Justice of his Lordships County Court of Somersett to be held at Winding  
Creck on Thursday of March then next to answer unto Jor. McCarter of a plea of Tres-  
pass upon the Case &c and w<sup>ch</sup> thereof he should not fail &c & the a<sup>nd</sup> Jor. McCarter by Jor.  
Gale his attorney proceeded against w<sup>ch</sup> said W<sup>m</sup> Porter in the plea a<sup>nd</sup> as follows to wit  
Somersett: W<sup>m</sup> Porter late of Somersett County planter was attached to answer unto  
Joseph McCarter of a plea of Trespass upon the Case &c

And whereupon the said Jor. by Jor. Gale his attorney Complaind w<sup>ch</sup> whereas I said -  
w<sup>ch</sup> the first day of March Anno d<sup>ni</sup> 1726 one thousand seven hundred and twenty six at Som-  
ersett City a<sup>nd</sup> within the Jur<sup>is</sup> of this Court was indebted unto w<sup>ch</sup> Jor. in one thousand one  
hundred & eighty three p<sup>ts</sup> of 1000 as by an. hereunto annexed may appear & being so thereof  
indebted the said W<sup>m</sup> in Consideration thereof the day & year a<sup>nd</sup> at J. place a<sup>nd</sup> upon himselfe  
did assume and to the said Jor. then and there did faithfully promise w<sup>ch</sup> he w<sup>ch</sup> Jor. should  
one thousand one hundred & eighty three p<sup>ts</sup> of 1000 to w<sup>ch</sup> Jor. when he should be thereunto  
requested he would well and faithfully pay and content & Altho' w<sup>ch</sup> Jor. twenty p<sup>ts</sup> of 1000  
part of w<sup>ch</sup> Debt to w<sup>ch</sup> Jor. he hath paid & satisfied yet as to w<sup>ch</sup> Residue thereof being one  
thousand one hundred and thirty three p<sup>ts</sup> of 1000 w<sup>ch</sup> Jor. his promise & assumption w<sup>ch</sup> in  
some a<sup>nd</sup> made nothing regarding but plotting & fraudulently detouring w<sup>ch</sup> Jor. in w<sup>ch</sup> part  
craftily & subtilly to drawe & defraud w<sup>ch</sup> one thousand one hundred & thirty <sup>three</sup> p<sup>ts</sup> of 1000 to  
w<sup>ch</sup> Jor. hath not paid altho' same to do w<sup>ch</sup> Jor. was often thereunto requested but of same  
to him hitherto to pay hath refused & still doth refuse & deny to Damage of w<sup>ch</sup> Jor. of  
two thousand two hundred & sixty six p<sup>ts</sup> of 1000 & thereupon he bring<sup>s</sup> suite &c

Wm. Gale