

lacks nothing by his writt and declaration afo but bein Merit for his false Banon, and that the afo Francis
goe thereof without day & also it is considered by the Court that the afo Francis Allen Recover against
the afo Ephraim Wilson One hundred & forty - - - - - pound of lra. to the same Francis
by discretion of the Justice here at his request for his Costs and Charges in that part sustained according to the
form of the Statute there of lately made and provided by the Court here adjudged &c -

(140)

Sh James Martin and Mary
his wife &c Robt. Martin.

Mary Taylor &c of
Wm. Bolitha - - - -

Somerset sh. Colobour Taylor and Mary his wife &c of the last will &c
of William Bolitha late of Somerset County Mariner dec. were attached to answer unto
James Martin and Mary his wife Executors of the last Will and testament of Robt.
Martin dec. of a plea of her part upon the Case &c -

And whereupon the same James Martin and Mary his wife by Lewis Gale their
attorney Complain that whereas the afo William in his life time the tenth day of June One thousand
seven hundred and twenty one at Somerset County afo within the Jurisdiction of this Court was indebted
unto the same Robert in the sum of four hundred and sixteen pounds of tobacco as by account here with
in Court produced may appear, and so thereof being indebted the said William in his life time after-
wards vizt. the same day and year afo at the County afo within the afo Jurisdiction in consideration thereof
upon himselfe afo and to the same Robert Martin in his life time then and there faithfully promised
that he when afterwards he should be therunto Required he the afo sum of four hundred and sixteen
pounds of tobacco to the same Robert in his life time would well and faithfully pay and content Neverthe-
less the said William in his life time and the afo Mary Taylor since his death to witte the whole
Execution of the last Will and Testament of the same William was in due form of Law Committed and def-
Colbourn and Mary since the Esgowals between them celebrated the promise and assumption afo of
William in his life time so as afo made little regarding but blotting and fraudulently Interduy-
ling the afo Robert in his life time and the afo James and Mary his wife since his death in that part
Craftily and Subtly to deprave and Devise neither the afo Will. in his life time nor the afo Mary-
Taylor since his death whilst she was sole for the afo Colbourn and Mary his wife since the Esgowals
between them celebrated the afo sum of four hundred and sixteen ^{of tobacco} to the same Robert in his life
time or the afo James and Mary his wife since his death have not paid or any of them for it in
any wise Contented altho the same to do the same William in his life time by the afo Robt. in his
life time afterwards to witte the same day and year afo and the afo Colbourn & Mary his wife since
the death of the same William and the Esgowals between them celebrated by the same James and
Mary his wife since the death of the afo Robert the tenth day of June and Dowd one thousand seven
hundred and Twenty seven at Somerset County within the Jurisdiction of this Court were thereto requested
but they and Every of them the same hitherto to do have altogether refused & the said Colbourn &
Mary his wife & James to do the do refuse to the damage of the same James & Mary his wife one
thousand five hundred pounds of tobacco and thereof they bring this Suite and James James &
Mary bring here into Court the Letters Testamentary &c by which &c

Lewis Gale of Quaker Medges & J. Doe Knt. Rec