

March Court . . . 1728 . . . 165 .
Lt. Isaac Hardy } Somersett f.

Joseph Bemberton late of Somersett County Gent^y
vs Joseph Bemberton } was attached to answer unto Isaac Hardy of a plea of his ass upon the first

At & whereupon the said Isaac Hardy by Levi Gale his attorney complains that whereas the aforesaid Joseph the tenth day of August and Dow. One thousand seven hundred and twenty seven at Somersett County within the Jurisdiction of this Court was indebted unto the said Isaac in the sum of One thousand and thirty six pounds of tobacco of the value of Twelve pounds ten shillings current money of Maryland, for the like sum at his experience Instance and request before that time for the use of the said Joseph by the said Isaac paid as by amount herewith in Court produced may appear and so thereof being indebted, the said Joseph in consideration thereof afterwards to wit the same day and Year aforesaid at the County aforesaid and within the aforesaid Jurisdiction upon himself assumed and to the same Isaac, then and there faithfully promised that he when afterwards he should be thereto requested he the aforesaid sum of One thousand and thirty six pounds of tobacco to the same Isaac would well and faithfully content and pay Nevertheless the said Joseph his promise and assumption as in form aforesaid made not regarding but plotting and fraudulently intending him the same Isaac in that part falsely and subtilly to defraud and deceive he the aforesaid Joseph the aforesaid sum of One thousand and thirty six pounds of tobacco or any part thereof, to the same Isaac he hath not paid altho the same to do the said Joseph afterwards to wit the same day and Year aforesaid at the County aforesaid and within the aforesaid Jurisdiction by the same Isaac was requested but he the same hitherto, to do hath altogether Refused and shall doth refuse whereby the same Isaac says he is worse and hath damage to the value of twenty pound current money and two thousand pounds of tobacco and thereof he brings this suit &c.

Levi Gale Esq^r. Clerk of the Court

Joseph Bemberton

To 1036. of tobacco paid to John Caldwell Esq^r for quit Rents on the land you sold me
at 25 p^r lb

April 21: 1729 Came Isaac Hardy and 1727 P^r Isaac Hardy
that the above amount is just and true and that he hath Received no part and gives thereof
to the best of his knowledge
John Hardy

And the said Joseph Bemberton by Robert Benie his attorney comes and defends the force and injury when &c. and prays Leave to imparte herunto until the next Court and he hath it and the same day is given to the aforesaid pleads here also -

At which which said next Court to wit the Twentieth day of June and Dow One thousand seven hundred and twenty eight Came again as well the aforesaid Isaac Hardy as the aforesaid Joseph Bemberton by their attorneys aforesaid and the aforesaid Joseph Bemberton by his said attorney prayed for the leave thereof to imparte herunto until the next Court and he hath it and the same day is given to the aforesaid pleads here also -

At which said next Court to wit the fifteenth day of August and Dow One thousand seven hundred and twenty eight Came again as well the said Isaac Hardy by his attorney aforesaid, as the said Joseph