

Ld. Henry Fitzwaters & Somersett's Owen Owens late of Somersett County planter was attacked to -
Q. Owen Owens ... } answer unto Henry Fitzwaters of a plea of tres pass upon the 15th

AND whereupon the same Henry by Lewis Gale his attorney complains that whereas
the said Owen the twenty six day of Novemb. and Dow. One thousand seven hundred and
twenty six at Somersett Co. within y^e Jur. of this Court was indebted to y^e same Henry
in y^e Sum of four pounds Curr. Money by his Certain Note or writing & so thereof
being indebted y^e said Owen in consideration hereof afterwards to witt y^e same
Day & year at y^e County afo^r & within y^e afo^r Jur. upon himselfe assumed to
the same Henry then & there faithfully promised y^t when afterwards he should
be thereto requested he y^e afo^r Sum of four p^o. Curr. money to y^e same Henry would
well & faithfully content & pay Nevertheless the said Owen his promise and
assumption afo^r in form afo^r made not regarding butt blotting & fraudulently
intending him y^e same Henry in y^e part Crestilly & Subtily to defraud and
Deceive y^e afo^r four pounds Curr. Money or any part thereof to y^e same Henry
he hath not paid although y^e same to doe y^e afo^r Owen afterwards by y^e
the same day & year at y^e Co. afo^r & within y^e afo^r Jur. by y^e same Henry
was Requested but he the same hitherto to doe hath altogether refused &
still doth Refuse whereby the same Henry says he is worse and hath done
to y^e value of eight p^o. of the money & thereof he Brings this Suite
L. Gale ff. Quin. Bledge & J. Doct. Hoc

And the afo^r Owen Owens by George Dushell his attorney comes and defends the force and
Injury when the afo^r and pray leave to Judge hereunto until the next Court and he hath it
and the same day is given to the afo^r both here also

At which said next Court to witt the fifteenth day of August and Dow. One thousand
Seven hundred and twenty seven came againe as well the afo^r Henry as the afo^r Owen by
their attorney afo^r and whereupon the afo^r said Owen by his said attorney pray further
leave thereof to Judge hereunto until the next Court and he hath it and the same
day is given to the afo^r both here also

At which said next Court to witt the twenty first day of November and Dow. One thou-
sand seven hundred and twenty seven came againe as well the afo^r Henry as the afo^r
Owen by their attorney afo^r and whereupon the same attorney of the same Owen as be-
fore defends the force and Injury when the afo^r and saith that he cannot gain say the action afo^r
of the afo^r Henry, nor can he say but that the afo^r Owen did assume upon himselfe in manner
and form as the afo^r Henry ^{aloud against him} hath declared, nor but that the said Owen Owens the afo^r Henry the
afo^r four pounds Curr. money and the declaration in all the word, before Expressly Confesseth the

Therefore it is considered by the Justice here the same day and year last mentioned
that the afo^r Henry Fitzwater recover against the afo^r Owen Owens four pounds Curr. money
his damages afo^r in form afo^r Confessed as also two hundred and Eighty four
pounds of cost for his costs & charges by him about his suit in y^e Court afo^r by y^e afo^r Henry
advised with stay of execution until the next Court and Dow. One thousand seven hundred and twenty seven