

June Court 1731 104

and thirty one came againe the said John Magan by his attorney aforesaid as the said James Rowland in his proper person in Custody as aforesaid and the said James Rowland ~~by~~ defendes the fore and injury when ~~the~~ and says that he cannot gainsay the action aforesaid of the aforesaid John Magan, nor but that he did assume upon him self in manner and form as the aforesaid John Magan above against him hath complained and as to the damage of the same John by him by Omission of the premises in that Sustained the same the same ^{James} says and Confesseth that that the said John hath Sustained damages by Omission of the premises beyond his costs and Charges by him about his Suit in that part aforesaid to Six pounds ten Shillings Current money and not more and because the aforesaid John denyes not this but the same allegation hee saith to be true prays Judgmt. and those damages above Confessed together with his costs and Charges aforesaid to him ad judged &c —

Therefore by Consent of the parties it is considered that the said John Magan Recover against the aforesaid James Rowland in Custody as aforesaid his damages aforesaid to the said Six pounds ten Shillings Current money by the same James Rowland in Custody as aforesaid, Confessed as also two hundred thirty six pounds of Tobacco for his costs and Charges aforesaid to the same John at his request by the Court here by Consent of the parties aforesaid ad judged &c and the said John in Custody as aforesaid in Mery &c —

H. A. Hugh Porter . Somerset County p. James Rowland late of Somerset County planter was attached to answer unto

^{at} James Rowland ... Hugh Porter of plea of the said upon the fore &c —

And whereupon the said Hugh by Francis Allen his attorney complains that whereas the said James the first day of July anno Dom. Seventeen hundred and thirty at Somerset County aforesaid within the Jurisdiction of this Court was indebted unto the said Hugh in thirteen pounds fourteen Shillings and eight pence halfe penny Current money of Maryland as by an account herunto annexed may in Court appear and being so therof indebted the said James in consideration therof the day and year aforesaid at the County aforesaid within the Jurisdiction aforesaid upon himselfe did assume and to the said Hugh then and thence did faithfully promise that he the said James the aforesaid thirteen pounds fourteen Shillings and eight pence halfe penny to the said Hugh when he should be therunto requested he would well and faithfully pay and Content and altho' the said James three pounds seven Shillings pence of the aforesaid thirteen pounds fourteen Shillings and eight pence halfe penny to the said Hugh he hath paid and Satisfied yet as to ten pounds seven Shillings and eight pence halfe penny Residue of the aforesaid thirteen pounds fourteen Shillings and eight pence halfe penny the said James his promise and assumption aforesaid in form aforesaid made nothing regarding but plotting and fraudulently Intending the said Hugh in that part Craftily and Publicly to deceive and defraud the said ten pounds seven Shillings and eight pence halfe penny to the said Hugh altho' the same to do the said James by the said Hugh on the said first day of July in the year aforesaid and often afterwards at Somerset County aforesaid within the Jurisdiction aforesaid he was therunto requested hath not paid or Contented but the same to him hitherto, to pay or Content hath Refused and will doth Refuse and deny whereupon the said Hugh saith he is worse and hath damage to the value of twenty pounds Current money of Maryland & therupon he bringe Suite &c.
 Gledson de p. Judge &c —