

And the said John Stewart by Will Deekingham his attorney Complain against the said Mary Porter in the plea aforesaid as followeth viz.

Somerset sh. Mary Porter late of Somerset County widdow Executrix of the Testament and last Will of Hugh Porter late of Somerset County Planter decd was attached to answer unto John Stewart of a plea of Trespass upon the Case &c.

And Whereupon the same John by Will Deekingham his attorney, Complain that whereas the aforesaid Hugh Porter in his Lifetime to witt the fifteenth Day of November Anno Domini one thousand seven hundred and thirty one at Somerset County within the Jurisdiction of this Court was Indebted unto the said John in the sum of Twenty seven pounds five shillings and three pence three farthings Currant money of Maryland for Divers goods wares and Merchandizes to him before that time (and at his Especial Instance and Request) sold and delivered and money for his use paid) as by Acc^t herewith in Court produced may appear and so therof being Indebted the said Hugh Porter in his Life time afterwards to witt the same day and year aforesaid at the County aforesaid and within the aforesaid Jurisdiction in consideration thereof upon himself assumed and to the same John then and there did faithfully promise when afterwards he should be therunto Requested, he the aforesaid Sum of Twenty seven pounds five shillings and three pence three farthings Currant money to the same John would well and faithfully content and pay Nevertheless, the said Hugh in his Life time and the aforesaid Mary since his Death, to whom Execution of the last Will and Testament, of the said Hugh was in Due form of Law, in Somerset County aforesaid Committed the promise and Assumption aforesaid of the aforesaid Hugh in Manner and form aforesaid made, not Regarding but Plotting and fraudulently Intending, the said John in that Part Craftily and Subtly to Defraud and Decieve Neither the aforesaid Hugh in his Lifetime nor the aforesaid Mary since his Death the aforesaid Sum of Twenty seven pounds five shillings and three pence three farthings nor any part thereof to the said John hath paid or him for it in anywise contented altho the said Hugh in his lifetime afterwards to witt the same day and year aforesaid and the aforesaid Mary since his Death to witt the seventh day of Decemb^r Seventeen hundred and thirty two at Somerset County aforesaid and within the aforesaid Jurisdiction was thereto by the same John Requested but the said Hugh in his Life time and the said Mary since his Death the same hitherto to do have altogether Refused and the said Mary the same to do still doth Refuse whereby the same John says he is worse and hath Damages to the Value of fifty four pounds ten shillings Currant money and thereof he brings this Bill

1731
 May 25. To 30 Gallons of R. W. 28. 8. 2
 To 10 Gallons of R. W. 21. 10. 11 1/2
 To 10 Gallons of R. W. 20. 0. 0
 To 10 Gallons of Madera Wine 13. 0. 0
 with the Cash
 To Cash 2 Pistols 2. 7. 8
 To 30, 20
 Carried up 9. 15. 5 1/2

John Stewart
 Hugh Porter but in case of Richd Proo
 To the Sum brought from below 9. 15. 5 1/2
 To Line 4. 0. 0
 To 30 Gall Rumi @ 3/4 5. 0. 0
 To 5 1/2 Gall Wine @ 3/6 18. 12 1/2
 To Cash 6. 0. 0
 To 30 Salguinea 14. 6. 0
 Carried over 17. 3. 0