came to wittt John Fearbrough, Lewis Rigsby, Christopher Nutter, Ambrose Willett, Charles Townsend, John Beavins, John Outten, John Hugh Nutter, Robert Watson, William McChester, John Caldwell and Wm. Booth who being duly Elected tryed and Sworn to Say the truth in the premises upon their Oath doe Say that the said John Harper did assume upon himselfe in manner and form as the ads John Murray above against him hath Complained and assessed the damages of the Said John Murray by Occasion of the non performance of the promise and assumption of the Said John Harper beyond his Costs and Charges by him about his Suit in that part expended to Sixty three Shillings and four pence Currant money and for those Costs and Charges to one pounds of tobacco —

and for as much as it doth appear to the Court here that the damages ads found are within the Jurisdiction of the Court so that they can Give noe other Judgmt. therein for a nonsuit &c —

Therefore it is Considered that the ads John Murray take nothing by his writt and declaration ads but that for his false Clamour he be thereof in mercy &c. and that the ads John Harper Goe thereof without day &c. And further it is Considered that the ads John Harper Recover against the ads John Murray One thousand Seven hundred and thirty Eight — pounds of tobacco for his Costs and Charges by him about his defence in that part Sustained W the Same John Harper by the Court here of his assent ~~assent~~ adjudged and according to the form of the Statute in Such Case made Lately made and provided, and the ads John Harper have of Ex. &c. whereupon said John Murray by his attorney prays an appeal in Chancery which is Granted he filing his bill —

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Hugh Frazer
a
pse John Brady

Somerset ss. John Brady Late of Somerset County planter was attached to answer unto Hugh Frazer of a plea of trespass upon the Case &c. —

And whereupon the Same Hugh by Lewis Gale his attorney complaines that whereas the ads John the tenth day of may anno Dom. One thousand Seven hundred and thirty at Somerset County within the Jurd of this court was Indebted unto the Same Hugh in the sum of Two pounds Eighteen Shillings and four pence Current money and so thereof being Indebted the said John In consideration thereof afterward to wit the same day and year ads at the County ads and within the aforesd Jurd upon himself assumed and to the same Hugh then and there faithfully did promise that when afterwards he should be thereto Required he the ads sum of two pounds Eighteen Shillings and four pence current Money to the same Hugh would well and faithfully content and pay Nevertheless the said John his promise and assumption ads in form ads made Little Regarding but plotting & fraudulently Intending him the same Hugh in that part craftily and subtilly to defraud and Deceive he the said John the ads sum of two pounds Eighteen Shilling and four pence Currant Money nor any part thereof to the Same John hath not paid or him for it in anywise contentes altho the said John afterwards to wit the same day and year ads at the County ads and within the ads Jurisdiction was there to Required by the Hugh but the said John the same to do hath altogether Refused and still doth Refuse whereby the same Hugh says he is worse and hath Damage to the Value of five pounds Nine Shilling and Eight pence and therefore he brings his Suit —

L Gale Qud: pledges &c. John Doe Roe Roe

And the aforesaid John Brady in his own proper person Comes and defends the force and Injury when &c. and Saith that he Cannot Gainsay the action aforesaid of the aforesaid Hugh nor Say he Say but that he did assume upon himselfe in manner and form as the aforesaid Hugh above against him hath Complained and as to the damage of the Same Hugh by him by Occasion of the premises in that part Sustained the Same John Says and Confesses the