

June Court - - - - - 1734 - - - - - (167)

Seventeen hundred & Thirty Two at the County of Somerset aforesaid within the Jurisdiction of this Court made his certain Note in Writing called a promissory Note with his proper hand & subscribed bearing Date the same Day & Year last mentioned and the Note aforesaid to the said Francis then & there delivered by which said Note the said John did promise to pay to the said Francis Allen or Order Nine hundred and Seven pounds of Tobacco it being for Value of him recd and Borrowed by him to pay John Cavenagh on his acct. the same to be paid by the Tenth Day of Nov. Next after the Date of the said Note and by reason thereof as also by force of the Statute in such Case lately made and provided the said John became chargeable to pay to the said Francis the aforesaid Nine hundred & Seven pounds of Tobacco according to the Tenor of the said Note and so being chargeable the aforesaid John in Consideration thereof afterwards to witt the aforesaid Twenty seventh Day of August in the Year Seventeen Hundred & Thirty Two aforesaid at the County of Somerset aforesaid within the Jurisdiction aforesaid upon himself did assume and to the said Francis then and there did faithfully promise to pay to the said Francis the aforesaid Nine hundred & Seven pounds of Tobacco according to the Tenor of the said Note Nevertheless the said John his promise & assumption aforesaid in force aforesaid made nothing regarding but plotting & fraudulently Intending the said Francis in that part craftily & subtilly to deceive & defraud the said Nine hundred & Seven pounds of Tobacco to the said Francis according to the tenor of the said Note hath not paid or contented Altho' the same to do the aforesaid John afterwards to witt on the aforesaid Tenth Day of Nov. And Done Seventeen hundred & thirty Two aforesaid & after afterwards at the County of Somerset aforesaid he was thereunto Requested but the same to him hitherto to pay hath refused and still doth refuse & deny whereupon the said Francis saith he is worse & hath Damage to the Value of Eighteen hundred & fourteen pounds of Tobacco and thereupon he brings Writ & pledges &c. John Dod & Bi: Bro

Whereupon the said John Bishop in his own proper person came here into Court and thereupon the said John Bishop at the prayer of the aforesaid Francis Allen by his Attorney aforesaid is adjudged to give special Bail to the action aforesaid thereupon a certain Edward Rownd of Somerset County Gents. present here in Court in his proper person Undertakes for the said John Bishop that if in Case the said Francis Allen should recover Judgement in the plea aforesaid against the said John Bishop or that the said John Bishop should be therein Convict that then he the said John Bishop should pay the Condemnation of the Court thereupon or tender his body to the Custody of the Sheriff of Somerset County in Satisfaction thereof or that he the said Edward Rownd will do the same for him &c.

And the aforesaid John Bishop in his own proper person comes and Defends the force and Injury whereof and prays Leave thereof to answer hereuntil Next Court and he hath it and the same Day is given to the aforesaid Francis here also &c.

At which said next Court to witt the eighteenth Day of June and Done One thousand & Seven hundred and thirty four came again as well the aforesaid Francis Allen by his Attorney aforesaid as the aforesaid John Bishop by in his proper person and thereupon the said Francis Allen by his Attorney aforesaid prays that the said John Bishop to his declaration aforesaid may answer but