

June Court 1799 22

Ought to recover, but because it is not known what damages, the said James hath sustained by occasion of the non performance of the promise and assumption. It is Comanded the Justice of Somerset County that by the oath of honest and Lawfull men of the County and he diligently Inquire what damages the said James hath sustained as well by occasion of the non performance of the promise and assumption as for his Costs and Charges by him about his Suit in that part appoyed, and the Inquisition which thereupon he takes he make appear to the Justice of his Lordships County Court of Somerset to be hold at a Writing Book in the County at the Thursday of August ^{year} under his seal and the Seals of them by whose oath a same Inquisition is taken he send together with his Lordships writ thereto to him directed.

Grace Webb

Luke Bowen

Somerset County Luke Bowen Late of Somerset County

planter was Attached to Answer unto Grace Webb of a Plea of Trespass upon the Case

And Whereupon the said Grace by Francis Allen her Attorney Complaineth that Whereas on the first Day of September Anno Domini Seventeen hundred and thirty one at the County of Somerset aforesaid within the Jurisdiction of this Court a certain Communication being had and Moved by the said Luke with the said Grace Concerning a Mare belonging to her the said Grace the said Luke in Consideration that the said Grace at the Especial Instance and Request of the said Luke then and there sold and Delivered to the said Luke the Mare aforesaid upon himself did Assume and to the said Grace then and there did faithfully promise that he the said Luke for the said Grace would lett the said Grace have a piece of Land for her to Live upon and Cultivate for the Term of her Life and would also upon the said Land Erect and build a house Sufficient for her to live in with own proper Cost and would give her Priviledge of Pasturadge for Cattle and the Priviledge of Getting Necessary Timber for the use of the said Land and house and other Necessary Occasions of her the said Grace and that he the said Luke would Give to her the said Grace his obligation for performance of the same and would also pay to the said Grace One thousand pence when he should be by the said Grace therunto Required Nevertheless the said Luke his promise and Assumption aforesaid in form aforesaid made Nothing Regarding but plotting and fraudulently Intending the said Grace in that part Craftily and Subtly to deceive and defraud hath not lett the said Grace have the said piece of Land aforesaid for her to Cultivate and Live upon nor Erected the house aforesaid. Nor hath he paid and Satisfied to the said Grace the aforesaid one thousand pence altho the same be do the said Luke by the said Grace on the first day of October in the Year aforesaid and often afterwards at the County aforesaid he was therunto Requested.

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