

November Court - - - - 1734 - - - - (226)

to pay the s^r. Robert on order on demand the sum of four pounds Eight Shillings & Eight pence in Cash for goods delivered his Sister Joyce Bowen and by Reason thereof as also by force of the Statute in that case lately made and provided the s^r. John became chargeable to pay to the s^r. Robert the afores^d Sum of money according to the tenor of the s^d note and so being chargeable the afores^d. John afterwards to wit the afores^d Seventeenth day of February and Domⁿ Seventeen hundred and thirty two afores^d. at Somerset County afores^d. upon himself did assume and to the said Robert then and there did faithfully promise to pay the afores^d. Sum of money according to the tenor of the same note Nevertheless the s^r. John his promise & assumption afores^d. in forms afores^d. made nothing regarding but plotting and fraudulently intending the s^r. Robert in that part craftily and subtilly to deceive & defraud the afores^d. Sum of money to the s^r. Robert according to the tenor of the s^d note altho' the same to do the s^r. John by the s^r. Robert on the afores^d. Seventeenth day of February in the year afores^d. and often afterwards at Somerset County afores^d. he was thereunto requested hath not paid or Contented but the same to him hitherto to pay or Content hath refused and still doth refuse and deny whereupon the s^r. Robert saith he is wond^r & hath damage to the value of Eight pounds Seventeen Shillings & four pence Current money of Maryland and thereupon he brings Suit &c.

A Copy of the foregoing declaration was made and sent to be Served on the defend^t. with the writt in the plea aff^d. according to act of assembly in such case made & provided. At which said third Tuesday of November to wit the nineteenth day of the same Month and Domⁿ One thousand Seven hundred and thirty four being the day of the return of the said writt Cometh the s^r. Robert Bolton by his attorney aff^d. and the Sher^d. of Somerset County to whom the foregoing writt was directed likewise Comes and makes return thereof to the Court here Endorsed Regi^o Legum declaration in time of Jos: M: Foster Sec^y. And the aff^d. John Bowen in his proper person Comes and defends the force & Injury when &c. and saith that he cannot gainsay the action aff^d. of the aff^d. Robert Bolton nor can he say but that he did assume upon himself in manner and form as the s^r. Robert above against him hath complained and as to the damage of the same Robert by him by him by occasion of the premises in that part Sustained the same John saith and Confesseth that the aff^d. Robert hath Sustained damages by occasion of the premises further than his Costs and Charges by him about his Suit in that part appoyed to four pounds Eight Shillings and Eight pence and not more and because the aff^d. Robert deny's not this but the same allegation Confesseth to be true pray Judgment for those damages above Confessed together with his Costs and Charges aff^d. to him to be adjudged &c.

Therefore by Consent of the parties aff^d. it is considered that the aforesaid Robert