

March Court — 1735 — 160

and faithfully would pay and Content and the afo Thomas Nevett in fact saith that the lawfull Cost damage and Interest of him the same Thomas Nevett by the afo Occasion of of the non Acceptance and non payment of the contents of the afo first Bill of Exchange — amount unto the sum of two pounds Nine Shillings and three pence Sterling whereof — the said Thomas Gray the day year and place last mentioned had notice. Nevertheless the afo Thomas Gray his promise and assumption afo nothing regarding but minding and — fraudulently intending the said Thomas Nevett in this part craftily and subtilly to deceive and defraud the afo fourteen pounds ten Shillings Sterling together with all lawfull Costs — damage and Interest afo which in the whole amount to the sum of sixteen pounds fifteen Shillings and three pence Sterling or any penny thereof to the afo Thomas Nevett hath not paid (altho to do the same afo Thomas Gray afterwards to witt the same day and year last mentioned and often afterwards at Somerset County afo by the afo Thomas Nevett was required) but that unto him hitherto pay altogether he hath refused and still doth refuse to the damage of the same Thomas Nevett thirty three pounds Eighteen Shillings and three pence Sterling and one thousand pounds of tobacco and thereof he bringeth suit &c

Edged &c. J. Doe &c. Doe

Whereupon came here J. the Court the afo Thomas Gray in his proper person and there — upon the said Thomas Gray by the Court here at the prayer of the afo Thomas Nevett by his attor — ney afo is adjudged to give Special Bail to the afo Thomas Nevett Whereupon came here into Court afo John Smith late of Somerset County planter in his proper person and undertook for the same Thomas Gray and assumed upon himself [Likewise the same Thomas Gray assumed upon himself] that if in Case the said Thomas Nevett should recover Judgment in the plea afo against the said Thomas Gray or that he the said Thomas Gray should be Verdict convicted that then he the said Thomas Gray should pay the Judgment of the Court thereupon or tender his Body to the prison of the Sheriff of Somerset County in execution of such Judgment or that he the said John Smith will do the same for him &c

And whereupon the said Thomas Gray by Thomas Bluet his attorney ^{conced} and defend the same and Injury when &c and pray Leave thereof to Imparle hereunto next Court and he hath it and the same day is given to the afo Thomas Nevett here also &c

At which said Next Court to witt the Eighteenth day of November Anno Domini One thousand seven hundred and thirty five came againe as well the afo Thomas Nevett as the afo Thomas Gray by their attorneys afo and whereupon the said Thomas Gray prays further Leave thereof to Imparle hereunto next Court and he hath it and the same day is given to the afo Thomas Nevett here also &c

At which said next Court to witt the sixteenth day of the March Anno Domini One thousand seven hundred and thirty five came againe as well the afo Thomas Nevett as the afo Thomas Gray by their attorneys afo