

Manh Court 1735 164

Seven teen hundred and five with the third day of february Seven hundred & thirty three at the County of Somerset within the Jurisdiction of this Court made his certain note in writing called a promissory note with his proper hand thereto subscribed bearing date the day and year last mentioned by which same note the said William did promise to pay to the said Robert or his order two thousand hoghead Staves to be Merchantable upon demand for value received by reason whereof as also by force of the Statute in such case made and provided the same William became and was chargeable to pay unto the said Robert the said two thousand hoghead Staves according to the tenor of the note aforesaid and to being chargeable the same William in consideration thereof afterwards to with the same day and year last mentioned at the County aforesaid upon himself aforesaid and to the said Robert then and there did faithfully promise, that he the said William the same two thousand hoghead Staves to the same Robert according to the tenor of the said note well and faithfully he would pay and content Nevertheless the said William his promise and assumption aforesaid in form aforesaid made nothing regarding but jostling and fraudulently intending the said Robert in that part craftily and subtilly to deceive and defraud the said two thousand hoghead Staves to the same Robert altho the same to do the said William by the said Robert on the aforesaid third day of february in the year last aforesaid and often afterwards at Somerset County aforesaid he was thereunto requested hath not paid or contented but the same to him hither to pay or in any sort for the same to content hath refused and still doth refuse and Deny to the Damage of the said Robert of six pounds Currant money of Maryland and thereupon he brings Suit &c.

Whereupon came hereinto Court the said William Beavins in his proper person and thereupon the said William Beavins is by the Court here adjudged to give Special bail to the action aforesaid. Whereupon a certain Joshua Dluger Sale of Somerset County planter came hereinto Court in his proper person and undertook for the same William Beavins and assumed upon himself [Likewise the same William Beavins assumed upon himself] that if in case the said Robert Gadder should recover Judgment in the plea aforesaid against the said William Beavins or that the said William Beavins should be thence convicted that then he the said William Beavins should pay the Judgment of the Court hereon or tender his body in Execution of such Judgment to the Prison of the Sheriff of Somerset County in Satisfaction thereof or that he the said Joshua Dluger will do the same for him. Whereupon the said William Beavins by George Douglas his attorney Counsel and defendeth the force and Injury whereof and prays Leave thereof to Imparke here until next Court &c he hath it and the same day is given to the aforesaid plaintiff here also. &c.