

March Court . . . . . 1735 . . . . . 179

same day and year as at the County as upon himselfe did assume and to the same Michael in his life time then and there faithfully did promise that he the same Thomas the same three pounds sixteen shillings to the same Michael when thereof afterwards he should be required well and faithfully would content and pay nevertheless the as Thomas his promise and assumption as inform as made nothing regarding but minding and fraudulently Intending the same Michael in his Life time and the as Elizabeth the Countess whilst sole and the as William and Eliza since the espousals between them had and celebrated in this part hastily and Subtly to deceive and defraud the as three pounds sixteen shillings to the as Michael in his Life time or to the as Elizabeth the Countess whilst she was sole or to the as William and Elizabeth since the espousals between them had and celebrated or either of them, hath not paid altho. often thereto required by the as Michael in his Life time and by the as Eliza the Countess after the death of the as Michael whilst sole and by the as William and Eliza the since the espousals between them had and celebrated particularly by the as <sup>William</sup> Elizabeth since their espousals on the first day of November in the year seventeen hundred and thirty five but that to the as Michael in his Life time or to the as Elizabeth the Countess whilst sole or to the as William and Elizabeth since the espousals between them celebrated or either of them hath not paid but the same to them or either of them to pay hitherto altogether have refused and still do refuse to the damage of the same William and Elizabeth the as. Seven pounds twelve shillings and thereof they bring suit &c. and bring into Court the Letter Testamentary of the same Eliza whereby it may appear to the Court here that she is executrix of the testament of the same Michael and that of pledge &c. J. Doe. &c. &c.

At which said Third Tuesday of March to wit the sixteenth day of the same Month ~~and~~ one thousand seven hundred and thirty five being the day of the return of the same Writ came the said William Beedingham and Elizabeth his wife Countess of Arundel by their attorney as and the sh. of Somerset County to whom the foregoing writ was directed &c. &c. and maketh return thereof to the Court here Endorsed in these words following vizt. Exce. J. J. M. Carter sh. 3. Whereupon the said sh. to wit Joseph M. Carter Gent. at the same day, being solemnly called brings not in the body of the same Thomas from well according to the return of the Writ as in the plea as but makes default &c. — Therefore at the prayer of <sup>the as</sup> William Beedingham and Eliza his wife Countess as as by their attorney as it is considered by the Justices here that the as sh. to wit Joseph M. Carter Gent. be amerced to his Lordship the Right honorable the Lord Proprietary for his default of the as sum of three pounds sixteen shillings Curr. money of Maryland in the declaration as specified