

John Fullerton } Somerset sh^t John Charles late of Somerset County Shipwright.
vs John Charles .. I was attached to answer unto John Fullerton of a plea of trespass upon the case

And whereupon the said John Fullerton by George Douglas his attorney Complaineth that whereas the afo John Charles after the first day of May Anno Domini thousand seven hundred and five to witt the seventh day of July Anno Domini thousand seven hundred and thirty two three at Somerset County within the Jurisdiction of this Court made his certain note in writing called a promissory note with his own proper hand thereunto subscribed bearing date the same day and year last aforesaid which said note the afo John Charles to the afo John Fullerton then and there did deliver and by the same note did promise to pay to the afo John Fullerton by the name of John Fullerton of Kent County Sup^r Delaware or order the sum of three pounds ten shillings and ten pence current money of America as by the same note here into Court brought may appear and by reason thereof as also by force of the statute in that case lately made and provided the same John Charles became chargable to pay to the same John Fullerton or order the afo three pounds ten shillings and ten pence current money afo according to the tenor of the same note and the said John Charles being so thereof chargable in consideration thereof afterwards to witt the same day and year last afo above mentioned at Somerset County afo within Jur^t afo upon himself did assume and to the same John Fullerton then and there faithfully did promise that he the afo John Charles the afo three pounds ten shillings and ten pence unto the said John Fullerton he would well and faithfully pay and content Never theless the said John Charles his promise and assumption afo in form afo nothing but plotting and fraudulently Intending the same John Fullerton in that part ^{regarding} ~~fraudulently~~ and subtilly to deceive and defraud the said three pounds ten shillings and ten pence nor any penny thereof to the said John Fullerton hath paid or him for the same in any sort contented altho the said John Charles afterwards to witt the same day and year afo after afterwards at the County afo within Jur^t afo by him the said John Fullerton was thereunto requested the same John Charles the same to pay hitherto altogether hath refused and still doth refuse and deny where by the same John Fullerton saith that he is the worse and hath damage to the value of seven pounds one shilling and eight pence like money and thereof he bringeth suite &c

Whereupon came hereinto Court a certain Daniel Murray ^{late of Somerset County Mariner} in his proper person and undertook for the aforesaid John Charles and assumed upon himselfe (likewise the said John Charles present herewith in his proper person assumed upon himselfe) that if in Case the said John Fullerton Should recover Judgment in the plea afo against the said John Charles or that the said John Charles should be therein Convicted that then to the said John Charles should pay the Judgment of the Court thereupon.