

June Court ——— 1735 ——— (49)

towards the said Cornelius in Aersar found the same Thomas afterwards to wit  
the day & year first above written at the County of Somerset on Consideration thereof  
upon himself did assume & to the said Cornelius then & there faithfully promised that  
he the said Thomas the said five pounds five shillings & eleven pence when he  
should be thereof afterwards required to the said Cornelius would faithfully content  
& pay notwithstanding the said Thomas his promise & assumption aforesaid in manner &  
form aforesaid made not regarding but minding and fraudulently intending the  
said Cornelius in that part craftily & subtilly to deceive & defraud the said  
five pounds five shillings and eleven pence or any penny thereof to the said  
Cornelius hath not hitherto paid or in any sort contented altho the same to  
wit the said Thomas afterwards to wit on thirtieth day of August Ann  
Dom. Seventeen hundred and thirty two at Somerset County of Somerset and after  
afterwards by the said Cornelius was required; but the same to the said Cornelius  
to pay or in any sort contented hath altogether refused and still doth  
refuse to the damage of the said Cornelius ten pounds current money of  
Maryland and thereof he brings Suit &c. — Pledge &c. In Doe Ric. Roe

Whereupon the said Thomas Billing present herein Court in his proper person at the prayer  
of the said Cornelius Kellok by his attorney aforesaid is adjudged to give special bail to the action aforesaid  
whereupon a certain John Witt of Somerset County planter present herein Court in his proper  
person undertook for the said Thomas Billing and assumed upon himself (likewise the said  
Thomas Billing present herein Court as aforesaid assumed upon himself) that if in case the said  
Cornelius Kellok should recover Judgment in the plea aforesaid against the said Thomas Billing or  
that the said Thomas Billing should be therein convicted that then he the said Thomas Billing  
should pay the fine or satisfaction of the Court thereupon 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 John Witt would do the same for him &c.

And the aforesaid Thomas Billing by Francis Allen his attorney comes and defends the force  
and Injury whereof and prays Leave to Impeach hereunto next Court and he hath it and the  
same day is given to the said Cornelius Kellok also &c.

All which said next Court to wit the Seventeenth day of June and Dom. One thousand  
Seven hundred and thirty five came againe in with the said Cornelius Kellok as the said Thomas Billing  
by their attorney aforesaid and whereupon the said Thomas Billing as before defended the force and  
Injury