

R^t James Mumford } Command was given to the sherriff of Somerset County that he should take
 for John Small. } John Small late of Somerset County planter if he should be found in his
 Bailynicks and him should safe help so that he might have his body
 before the Justices of his Lordships County Court of Somerset to be held at deviding Creek
 in the same County the third Tuesday of November And Did one thousand seven hundred
 and thirty seven to answer unto James Mumford of a plea of trespass upon the Case &c.
 And hereupon the said James Mumford by Robert Jenckins Henry his attorney declar-
 ed against the a^d John Small in the plea a^d in form following Viz^t. Somerset County
 s^t. John Small late of Somerset County planter was attached to answer unto James
 Mumford of a plea of trespass upon the Case &c.

And Whereupon the said James by Robert Jenckins Henry his attorney com-
 plains that whereas the a^d John after the first day of may seven hundred and five
 (to witt) the twenty second day of June in the year of our Lord God one thousand seven hundred
 thirty and seven at Somerset County a^d within the Jurisdiction of this Court made his
 certain note in writing commonly called a promissary note with his proper hand thereunto
 subscribed bearing date the same day and year last above mentioned which said note the
 same John to the a^d James then and there did deliver and by the same note did promise
 to pay unto the a^d James (by the name of James Mumford send) one thousand and fifty
 Cypress boards to be delivered at snow hill Town by the twentieth day of July next ensuing
 the date of the same note for value received by reason of which said premises and also
 by vertue of the statute in such case lately thereof made and provided the same John
 became chargeable to pay to the said James the a^d one thousand and fifty Cypress Boards
 at the place a^d and at the time therein prefixed according to the tenor of the same
 note and the said John so thereof chargeable being in consideration thereof afterwards
 (to witt) the same day and year last above mentioned at Somerset County a^d upon
 himself did assure and to the same James then and there did faithfully promise that
 he the a^d John the a^d one thousand and fifty Cypress boards according to the tenor
 of the said note he would well and truly pay and Content Nevertheless the a^d John his
 promise and assumption a^d in form a^d made little regarding but willy and fraudulently
 intending the same James in that part Casily and Subtily to deceive and defraud the a^d
 one thousand and fifty Cypress boards or any of them to the same James hath not as yet
 paid