

March Court ... 1736 ... 23

Somerset County p. John Britt late of Somerset County planter was attached to answer unto Thomas Fletcher of plea of trespass upon the Case &c

And Whereupon the said Thomas by Francis Allen his attorney complains that whereas the said John the first day of January Anno Domini seventeen hundred and thirty five at Somerset County within the Jurisdiction of this Court was Indebted unto the said Thomas in twelve hundred pounds of tobacco for so much by the said Thomas for the said John at the special Instance and request of the said John to ascertain William Beckingham Gent. before that time deposited and paid as also in the sum of forty shillings Curr. money of Maryland for so much by the said John of the said Thomas before that time had borrowed and received and being so thereof Indebted the said John in Consideration thereof the day and year aforesaid at the place aforesaid upon himself did assume and to the said Thomas then and there did faithfully promise that he the said John the said twelve hundred pounds of tobacco and forty shillings Curr. money to the said Thomas when he should be thereunto requested he would well and faithfully pay and content. Never the less the said John his promise and assumption aforesaid in form aforesaid made nothing regarding but plotting and fraudulently Intending the said Thomas in that part craftily and slyly to deceive and defraud the said twelve hundred pounds of tobacco and forty shillings Curr. money of Maryland to the said Thomas hath not paid or contented altho the same was the said John by the said Thomas on the aforesaid first day of January in the year aforesaid and often afterwards at Somerset aforesaid he was thereunto requested but the same to him hitherto pay hath refused and still doth refuse and deny to the damage of the said Thomas of twenty pounds Curr. money of Maryland and thereupon he brings suit &c. Pledges &c. In Doe & Proloc

And the said John Britt by George Adair Esq. his attorney answers and defends the force and injury when &c. and says that he did not assume upon himself in manner and form as the said Thomas above against him hath complained and of this he puts himself upon the Country and the said Thomas in like manner &c.

Therefore it is Commanded the Sheriff of Somerset County that he come to Court here the third Tuesday of March then next following twelve o'clock by whom &c. and who neither &c. to testify &c. because as well &c. and the same day is given to the parties &c. all which day here came again as well the said Thomas Fletcher as the said John Britt by their attorneys &c. & the Jurors of that Jury known of Impanelled being called Likewise come to with Nicholas Fountain Joshua Stulger, Charles Townsend Joseph Houston Robert Mitchell William Munford, Richard Chambers Thomas Wise Moses Duskey John Shiles John Ledden James Joice

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