

March Court - - - - - 1737 - - - - - 230

Somerſet County aſſ. within the Jurisdiction of this Court did make a certain note in writing called a promiſory note with his proper hand ſubſcribed bearing date the day and year laſt mentioned and that note to the ſaid William then and there did deliver by which note the ſaid Frances did promiſe to pay to the ſaid William the ſum of three pounds five ſhillings and eight pence Curr. money of Maryland to be paid in timber that is as much timber as will make forty and four thousand foot of planks or as much as will make up the ſaid ſum of money at eighteen pence pr. thousand when ſhe ſhould be afterwards thereto required and in caſe ſhe the ſaid Frances ſhould fail therein that ſhe, the ſaid Frances would pay the aſſ. ſum of money in ſterling money and by means thereof and by force of the ſtatute in that caſe lately made and provided the ſaid Frances became chargeable to pay to the ſaid William the ſaid money in timber at the rate aſſ. or the ſaid ſterling money according to the tenor of the ſaid note ^{and} being thereof chargeable afterwards to witt the day and year aſſ. at the County aſſ. upon her ſelf did aſſume and to the ſaid William then and there faithfully promiſe the aſſ. ſum of money in the timber at the rate aſſ. when thereto afterwards required or if ſhe failed therein in ſterling money according to the tenor of that note to the ſaid William to pay and content. Nevertheless the ſaid Frances her promiſe and aſſumption aſſ. in form aſſ. made not regarding but minding and fraudulently intending the aſſ. William in that part to deceive and defraud the aſſ. ſum of money in timber at the rate aſſ. altho thereto on the day and year laſt mentioned at the County aſſ. ^{and often afterwards} by the ſaid William required or the ſaid ſum in ſterling ^{money} altho thereto afterwards witt on the firſt day of January in the year laſt aſſ. and often ſince that time at the ſaid County by the ſaid William required to the ſaid William hath not paid or him for the ſame in any ſort contented but the ſame according to the tenor of the ſaid note to him to pay hath altogether reſuſed and ſtill doth reſuſe to the damage of the ſaid William ten pounds Curr. money of Maryland and thereof he brings ſuit &c.

Dedges J. P. Doe and R. Roe

And the aſſ. Frances Bowger by Francis Allen her attorney comes and defends the force and Injury when &c. and prayeth leave thereof to diſpate here untill next Court to be held at dividing Creek in the County aſſ. the third Tuesday of November