

March Court - - - - 1736 - - - 25

with his proper hand and name thereto subscribed bearing date the same day and year aforesaid by which same note the said Henry then and there did promise to pay unto the said Thomas or his order five hundred weight of Merchantable pork nine Barrells of Merchantable Lard and twenty pounds of good Myrtle wax for like value recd by the tenth day of November next ensuing the date of the note aforesaid by means whereof as also by force of the Statute in such case made and provided the same Henry became and was chargeable to pay unto the said Thomas or his order the pork Lard and wax aforesaid according to the tenor of the note aforesaid and so therewith being chargeable the same Henry in consideration thereof afterwards to witt the same second day of May and year aforesaid at the County aforesaid upon himself did assume and to the same Thomas then and there faithfully did promise that he the same Henry the same pork Lard and wax in the note aforesaid mentioned according to the tenor of the same note well and faithfully would pay and content Never theless the aforesaid Henry his promise and assumption aforesaid in no sort regarding but minding and fraudulently Intending the same Thomas in this part craftily and subtly to deceive and defraud the aforesaid pork Lard and wax or any part thereof to the same Thomas hath not paid but that unto him to pay or him for the same in any sort to content hitherto altogether hath refused and still doth refuse to the damage of the same Thomas twelve pound five money and thereof he brings suit &c

Ledger &c. J. J. & R. Proc.

And the aforesaid Henry Wrigate by Robert Scutwin Henry his attorney Cometh & defendeth the same and Injury when &c. and prayeth Leave thereof to Inquire here until the third Tuesday of November Next following and he hath it & the same day is given to the aforesaid Thomas here also &c.

All which day here came againe as well the aforesaid Thomas Nevell as the aforesaid Henry Wrigate by their attornies aforesaid and the aforesaid Thomas Nevell then & there his writt & Declaration aforesaid against the aforesaid Henry Wrigate did not prosecute with Effect but voluntarily suffered his Suit to be discontinued. Therefore it is Considered that the aforesaid Thomas Nevell and his pledgers of prosecuting to witt J. J. & R. Proc. be in mercy and that the aforesaid Henry Wrigate goe hence without day &c.

John William -
G. D. Martin fenton. } Nowhere at this day to witt the fifteenth day of June Anno Domini one thousand seven hundred and thirty six came here into his Lordships County Court of Somerset then and there held in the Court house at dividing Creek in the same County by his Lordships Justices the peace in the same County to keep a signed warrant certain John William of Somerset County planter and Martin fenton of the same place Lordwainer and did then and there according to the form of the Statute submit a certain matter