

as in form of made little regarding but minding and fraudulently intending him the same John in that part *castily* & suttly to deceive and defraud the said sum of three shillings and three pence and seven hundred seventy and four pounds of tobacco or any part of the said money or tobacco unto the same John he hath not paid or satisfied altho: the same to doe the as Francis afterwards to with the same day and year above mentioned at Somerset County as and often since that time by the same John was requested but the same to him to pay or for the same in any sort contented the said Francis he thereto altogether hath refused and still doth refuse to the damage of him the same John twelve pounds Curr^t money of the said province of Maryland and thereof he brings suit &c

Reg^d vs J. Doe & R. Roe

1739 Mr. Francis Persons	Dr	
To 2 Levies	80	
To an Amercement James Duffy ag ^t Francis Porter	31	
To Fees for Duffy	257	
To Ditto for John Hillbee	200	
To Maj ^r Arbuckle Attorney	200	
To Maj ^r Henry	30	
To serving you with a scire facias		
	<u>£0 13 0</u>	<u>798</u>

of Contra	
By 47 3/4	Long 4.
By tobacco overpaid Last year	5 24
Balance due in my favour	£0 3 3 and 7/4
	<u>£0 13 0 & 798</u>

Errors Excepted of John Henry

At which day here came the aforesaid John Henry by his attorney aforesaid and the Sheriff to with John Henry gent^r now here returned that he had taken the as Francis Persons whose body here at this day he had ready to answer the as John Henry of the as plea as to him it was Comanded

Whereupon the said Francis Persons at the prayer of the as John Henry is adjudged to give speciall bail to the Action as Thereupon came here into Court a certain Charles Dickerson of naswaddox late of Somerset County planter in his proper person and undertook for the as Francis Persons Likewise the said Francis Persons present here in Court in his proper asumed upon himself that If it should happen that Judgment in the plea as should be rendered for the same John Henry against the as Francis Persons or that he the said Francis Persons should be therein Convict that then he the said Francis Persons should pay and satisfy unto the said John Henry the Judgment of the Court thereupon or tender his body in Execution of such Judgment to the prison of the sheriffe of the County as in satisfaction thereof or that he the same Charles Dickerson will doe the same for him

And the as Francis Persons in his proper person Cometh and defendeth the force and Injury when & and saith that he cannot deny the Action as of the as John Henry nor but that he did asume upon himselfe in manner and form as the as John Henry above against him hath complained and as to the damage of the same John by him by Occasion of the premises in that part Sustained the same Francis Persons saith and Acknowledgeth that the as John hath Sustained damages by Occasion of the premises beyond his Costs and Charges by him about his suit in that part apposed to Nine pence Currant Money of Maryland and not more and because the as John deny not this but the same

Allegation