

which the same Edmund Remaineth thereof again with them undefended & for which Reason the af. Edmund
his Damages against the af. Alexander Robert and Ann his wife ought to Recover but because it is not known
unto his Lordships Justices here what Damages the af. Edmund hath sustained by occasion of the non performance
of the promise and assumption af. in this part sustained. — Therefore Command is to the Sheriff of the County
af. that by the oath of honest and Lawfull men of his bailiwick he diligently enquire what Damages the af.
Quarant Edmund hath sustained as well by occasion of the non performance of the promise and assumption
af. as for his Costs and Charges by him about herant his suit in that part expended and the Inquisition of which
thereupon he takes to his Lordships Justices at the next Court to be held at dividing Creek the third Tuesday of March
then next following under his seal and the seals of those by whose Oath he takes the same Inquisition
he send together with the writ thereof to him directed and the same day is given to the af. Edmund here &c.

af. D. W. John Horsey Command was given to the Sheriff of Somerset County that he should take Nathaniel Jackson
af. Nathaniel Jackson late of Somerset County planter if he should be found in his bailiwick and him should safe keep so
that he might have his body before the ^{the} Justices of ^{the} County Court of Somerset to be held at dividing
Creek the third Tuesday of August Anno Dom one thousand seven hundred and forty one to answer unto John Horsey of a plea of
trespass upon the Case &c. and the same day is given to the af. John here &c.

At which day here came the af. John Horsey by George Douglas his Attorney and the Sheriff to wit John
Handy Gent. now here returned that he had taken the af. Nathaniel Jackson whose body here at this day he had ready to answer
the af. John Horsey of the af. plea as to him it was Commanded —

And hereupon the said John Horsey complained of the af. Nathaniel Jackson in the af. form following — Somerset s^{ts}
Nathaniel Jackson late of Somerset County planter was Attached to answer unto John Horsey of a plea of trespass upon the Case &c.

And Whereupon the said John by Geo. Douglas his Attorney complains that whereas the said Nathaniel on the thirtieth
day of May Anno Dom 1741 at the County af. was Debted to the said John in ten pounds fourteen shillings and nine pence
Curr^t money of Maryland for sundry Matters properly in Acc^t Chargeable as by an Account thereof hereto Annexed may appear and
so being thereof indebted on Consideration thereupon himself did assume and to the said John then and there faithfully did promise that
he the said Nathaniel the said ten pounds fourteen shillings and nine pence when he should afterwards be thereto required he would faith-
fully pay and Content Nevertheless the said Nathaniel his promise af. in form af. made not regarding but minding and fraudulently
intending the said John in that part craftily and Subtly to deceive and defraud the said ten pounds fourteen shillings and nine
pence to the said John hath not paid or him for the same in any sort hitherto Contented but that to doe altogether hath refused and
still doth refuse altho thereto afterwards to wit the day and year af. at the County af. and often since that time by the said John required
whereupon the said John says he is damaged twenty pounds Curr^t money af. and thereof he brings Suit &c.

Proq. v. J. Doe & J. Roe