

held at dividing Creek the third Tuesday of June Anno Domini one thousand seven hundred and forty to Answer unto William Kitchen of a plea of trespass upon the Case & the same day is given to the ass: William here &c.

All which day here came the ass: William Kitchen by George Douglas his Attorney and the sheriff to wit John Henry Gent now here returned that he had taken the ass: Francis Porter whose body here at this day he had ready to Answer the ass: William Kitchen of the ass: plea as to him it was Comanded - And the said William Kitchen declared against the ass: Francis Porter in the plea ass: in form following - Somerset s: Francis Porter late of Somerset County planter was Attached to Answer unto William Kitchen of a plea of trespass upon the Case &c.

And Whereupon the said William by Geo Douglas his Attorney complains that whereas the said Francis on the twelfth day of April Anno Domini MDCXXXVIII at the County ass: was indebted to the said William in the sum of forty nine pounds twelve Shillings and two pence Current money of Maryland for Sundry matters and things property Charge able in Account as by an Account thereof hereto annexed may appear and so being thereof Indebted afterwards to wit the day and year ass: at the County ass: on Consideration thereof upon himself did Assume and to the said William then and there faithfully promise that he the said Francis the said forty nine pounds twelve shillings and two pence to the said William when he should afterwards be thereto required he would faithfully pay and Content Nevertheless the said Francis his promise and Assumption ass: in form ass: made not regarding but minding and fraudulently intending the said William in that part Castily and Subtly to deceive and defraud the said forty nine pounds twelve shillings and two pence to the said William hath not paid or him for the same in any sort hitherto Contented but that to doe Altogether hath refused still doth refuse all the thereto afterwards to wit on the day and year ass: at the County ass: and often since that time by the said William required to wit upon

he says he is damm'd fifty pounds Current money of Maryland and thereof he brings Suit &c. Ple: G: Doe B: Proe

1735	Mr: Francis Porter D: to W <sup>m</sup> Kitchen list . . . . .	£	30 <sup>00</sup>
March 18	To 200 <sup>00</sup> Cull sawe . . . . .	£	30 <sup>00</sup>
	To two Ditto files . . . . .		0 <sup>00</sup> 4 <sup>00</sup>
1736	To 9 yards of Cotton Check @ 4/2 . . . . .	1 <sup>00</sup>	17 <sup>00</sup> 6
	To due in tobacco 175 @ 20/ . . . . .	1 <sup>00</sup>	5 <sup>00</sup> 0
Aug 1	To seven shillings exchange in gold . . . . .	0 <sup>00</sup>	7 <sup>00</sup> 0
	To a barrel of Pork . . . . .	2 <sup>00</sup>	0 <sup>00</sup> 0
Nov 18	To Cash Lent at Court . . . . .	1 <sup>00</sup>	0 <sup>00</sup> 0
December 20	To 240 pounds of pork @ 20/ . . . . .	2 <sup>00</sup>	8 <sup>00</sup> 0
	To 136 pounds of Pork of James Townsend . . . . .	1 <sup>00</sup>	7 <sup>00</sup> 2
1737	To the Dogger and people ten days Capt Goanig @ 8/ per day . . . . .	4 <sup>00</sup>	0 <sup>00</sup> 0
March 24	To 66 1/2 Bushells of Corn . . . . . @ 3/ . . . . .	9 <sup>00</sup>	19 <sup>00</sup> 6
1738	Apr 12 To 63 days the Dogger and people to Mr John Wildman @ 8/ per day . . . . .	21 <sup>00</sup>	4 <sup>00</sup> 0
	Errors excepted of W <sup>m</sup> Kitchen . . . . .		49 <sup>00</sup> 12 <sup>00</sup> 2

Whereupon came herunto Comd the aforesaid Francis Porter in his proper person and thereupon the said Francis Porter at the prayer of the aforesaid William Kitchen is adjudged by the Court here to give Speciall Bail to the action aforesaid & Whereupon came herunto Comd a certain William Newsom of Somerset County planter in his proper person and undertook for the said Francis Porter likewise the said Francis Porter present here in Court