

March Court . . . . . 1740 . . . . . 75

his Bailiwick and her should safe sleep so that he might have ~~her~~ before the Justice of his Lordship  
County Court of Somerset to be held at dividing Creek in the same County the thirdueday of March Anno.  
Dom one thousand seven hundred and forty to answer unto John Burnall of a plea of trespass upon the  
Case & and the same day is given to the ~~of~~ John here & . . . . .

And hereupon the said John Burnall declared against the ~~of~~ Katherine Stewart in the plea.  
of in form following . . . Somerset pl: Katherine Stewart late of Somerset County Widow  
Administratrix of all and singular the goods Chattels and Credits which were of William Stewart late of  
Somerset County ~~deceased~~ deceased at the time of his death who dyed in testate was attached to answer unto  
John Burnall of a plea of trespass upon the Case & . . . . .

And whereupon the said John by George Douglas his attorney complains that  
whereas the said William in his life to witt on the first day of December Anno Dom. MDCCXX at the  
County of ~~as~~ was indebted to the said John in five hundred seventy and five pounds of tobacco for sundry matters properly  
in Account chargeable as by Account thereto Annexed may appear and so being thereof indebted afterwards to wit the day &  
year of ~~at the County of~~ at the County of ~~as~~ on Consideration thereof upon himself did assume and to the said John then  
and there promise to pay to the said John the said tobacco when he should be afterwards thereto required and altho' the said  
William did pay to the said John one hundred pounds of tobacco part of the said five hundred and seventy five pounds of tobacco  
Nevertheless as to four hundred and seventy five pounds of tobacco residue of the said five hundred and seventy five pounds of  
tobacco the said William in his life his promise ~~as~~ not regarding but minding the said John in that part to deceive and  
defraud the said Residue to the said John in his life did not pay but that to doe altogether did refuse and the said Katherine  
since the death of the said William the said Residue to the said John to pay altogether hath refused and still doth refuse  
altho' the same to the said John to pay to the said William in his life to wit the day and year of ~~at the County of~~ and the said  
Katherine since the death of the said William to witt on the sixth day of April Anno Dom. MDCCXXVII at the  
County of ~~as~~ and often since that time by the said John severally were required whereupon the said John says he is damaged  
ten pounds current money of Maryland and thereof he brings Suit & . . . . .

Pledg: &c. J. Doe vs. Roe . . . . .

Dr. Mr. William & Aunt Minist: . . . . .

1729	To taxes at 29	357	By Hugh Porter a gift	500
and	To 1/2 of at	18	Due to me is	475
	To 1/2 of fees	48		<u>575</u>
	To 2 hours at 76	152		
		<u>575</u>	Errors Excepted p John Burnell Sher:	

April 26 day 1737 Came Mr. John Burnall before me the Sub: and made oath on the Holy Evangelist of Almighty God  
that the above Account is Just and true and that he <sup>nor</sup> any other person directly or Indirectly did never receive any part  
or percell or any Satisfaction or Security for the same any more then Credit is given for to the best of his knowledge  
Sworn to before . . . . . Henry Ballard

A Copy of the foregoing declaration was made and sent to be served on the deft <sup>in order</sup> for a speedy trial - At which day  
here