and there faithfully did promise that he the said Roger the aforesaid sum of forty six pounds four shillings and one penny sterling to the aforesaid William when afterwards he should be thereunto required would well and truly content and pay. Nevertheless the aforesaid Roger his promise and assumption aforesaid not regarding but plotting and fraudulently intending the said William in this behalf craftily and subtilly to deceive and defraud the aforesaid Roger the aforesaid sum of forty six pounds four shillings and one penny sterling to the aforesaid William altho' the twelfth day of April in the year of our Lord God one thousand seven hundred and thirteen at Calvert County aforesaid by the said William he was thereto required hath not but the same to him to pay his thereto hath denyed and still doth deny whereupon he saith he is damnified and hath loss to the value of twenty pounds sterling and therefore he brings suit &c.

pledges of &c. John Doe & Richard Roe

And the said Roger Boyce by Thomas Bordley his attorney comes and defends the force and injury when &c. and prays leave to imparle thereunto until the next Court and he hath it and the same day is given to the plaintiff also.

At which said next Court to wit the 13th day of October Anno Domini 1713 comes again the said parties plaintiff and defendant by their attorneys aforesaid and the said defendant by his said attorney prays further leave to imparle thereunto until next Court and he hath it and the same day is given to the plaintiff also.

At which said next Court to wit the 13th day of April Anno Domini 1713 comes again the said parties plaintiff and defendant by their attorneys aforesaid and the said defendant by his said attorney as before defends the force and injury when &c. and saith that he did not assume in manner and form as the aforesaid William above against him complains and of this he puts himself upon the country. And the plaintiff likewise.

Thereupon command is given to the sheriff of Anne Arundel County that he immediately cause to come twelve &c. by whom the truth of the matter &c. to be recognized &c. because as well the said sheriff as the said Thomas Gassaway Gent. Coroner at this day to wit the same day and year last mentioned make return that he has been ready twelve &c. by his precept he was commanded. And now here afterwards to wit the same day and year last mentioned comes as well the plaintiff as the defendant by their attorneys aforesaid all the jurors of that jury impannelled being called likewise come to wit Thomas Dunwoodson Tom Whittington Seud Ignatius Luckett Tom Stone Jun. Tom Macnemara Gr. Fell Jones Tom Browne Hall Collier & Jno. Rawlins Francis Fleewood George Pouncey and Peter Taylor who being duly elected tried and sworn to say the truth in the premises upon their oaths do say that the said Roger Boyce did assume in manner and form as the aforesaid William above against him complains. And



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do assess the damages of the said William Lowe by occasion of the premises aforesaid besides his costs and charges by him about his suit in this behalf laid out and expended to the nine of forty six pounds four shillings and one penny sterling. Therefore it is considered by the judgment of the court that the said William Lowe do recover against the said Roger Boyce the sum of forty six pounds four shillings and one penny sterling his damages aforesaid by the jurors aforesaid in form aforesaid assessed as also the sum of twenty pounds of tobacco by the court here adjudged unto him for his costs and charges by him about his suit in this behalf laid out and expended and the def. in mercy &c.

## Maryland ss.

Mr. Thomas Wharton and Timothy Keyser — } James Duke late of Calvert County was attached to answer
vs. James Duke — } unto Thomas Wharton and Timothy Keyser merchants of a plea of trespass upon the case.

And whereupon the said Thomas Wharton & Timothy Keyser by Thomas Macnemara their attorney complain that whereas the said James on the eighth day of May in the year of our Lord One Thousand Seven hundred & thirteen at Calvert County had accounted with the said Thomas Wharton and Timothy Keyser for divers sums of money to the said Thomas Wharton and Timothy by the said James at Calvert County aforesaid before that time there due & owing and upon that account the said James was found in arrear to the said Thomas Wharton and Timothy in the sum of One Hundred Nineteen pounds Eight shillings one penny three farthings sterling upon which the said James in consideration thereof the day and year aforesaid at Calvert County aforesaid assumed upon himself and to the said Thomas Wharton and Timothy then and there faithfully did promise that he the said James the said sum of One Hundred Nineteen pounds Eight shillings one penny three farthings sterling to the said Thomas Wharton & Timothy when afterwards he should be thereunto required would well and truly content and pay. And whereas also the said James afterwards to wit the day & year aforesaid at Calvert County aforesaid had likewise accounted with the said Thomas Wharton & Timothy by the said James at Calvert County aforesaid before that time there due & owing and upon that account the said James was found in arrear to the said Thomas Wharton & Timothy in the said sum of One Hundred Nineteen pounds Eight shillings One penny three farthings sterling upon which the said James in consideration thereof the day and year aforesaid at Calvert County aforesaid assumed upon himself and to the said Thomas Wharton and Timothy then and there faithfully did promise that in case a certain Charles Carroll became security for any other sufficient for that purpose that the said Thomas Wharton & Timothy or some other on their behalf should send in four or six bills of exchange or duplicates of them specified in case they therefore came to their hand in case they did not the said to transmit unto satisfaction the said James that the said bills never came to hand that then he the said James the said sum of