and the said Richard Keen Clagett then and there according to the usage and Custom of merchants aforesaid used and approved became liable for and Chargeable to pay unto the said William Bell the aforesaid sum of Virginia Currency. And being so therewith chargeable the aforesaid Richard Keen Clagett afterwards to wit on the day and year last aforesaid at Montgomery County aforesaid in Consideration of the premises upon himself assumed and to the said William Bell then and there faithfully promised the aforesaid sum of one thousand and ninety four pounds sixteen shillings Virginia Currency to the said William Bell when afterwards he the said Richard Keen Clagett should be thereunto required he would well and truly content and pay. And the aforesaid William Bell in fact saith the said sum of Virginia Currency at the time of making the promise and assumption aforesaid was always since hath ben and yet is of the value of thirteen hundred and sixty eight pounds ten shillings current money to wit at the County aforesaid.

Nevertheless neither the aforesaid Richard in his life time nor the said Martha since his decease (to which said Martha administration of all and singular the Goods Chattels and Credits which were of the said Richard at the said time of his death hath since his decease to her the said Martha at Montgomery County aforesaid in due form of Law been committed) the promise and assumption aforesaid of the said Richard not regarding, but minding and fraudulently intending the said William Bell in this behalf craftily and subtilly to deceive and defraud, the aforesaid sum of Virginia money or the value thereof as aforesaid to the said William Bell have not contented or paid although so do the said Richard was afterwards to wit on the day and year aforesaid and often afterwards at the County aforesaid by the said William Beall requested yet the said Richard in his life time and the said Martha since his decease to content or pay the same have altogether refused and the said Martha still doth refuse wherefore the said William Bell saith he is the worse and hath damage to the value of two thousand pounds Current money and therefore he brings suit and soforth.

W. Cooke p. Pltf. } John Doe and
Redges &c. } Richard Roe.

And the aforesaid Martha Clagett administratrix aforesaid by her attorney aforesaid as before defends the force and injury when and soforth and prays further leave of the Court to imparle hereunto untill next court and she hath the same day is given to the aforesaid William Bell also.

At

At which said next Court to wit, the second tuesday of October being the thirteenth day of the same month anno domini seventeen hundred and ninety five comes again here into our General Court as well the aforesaid William Bell by his attorney aforesaid as the aforesaid Martha Clagett administratrix as aforesaid by her attorney aforesaid. And the said Martha Clagett administratrix aforesaid by her attorney aforesaid as before defends the force and injury when and soforth and says that the said Richard did not assume upon himself in manner and form as the said William above against her complains and of this she puts herself upon the Country &c and the aforesaid William Bell in like manner &c.

Therefore let a jury thereupon appear before the Judges of our General Court here on the second Tuesday of May next by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c.

And now here at this day to wit the said second Tuesday of May being the tenth day of the same month Anno Domini seventeen hundred and ninety six comes again here into our General Court as well the aforesaid William Bell by his Attorney aforesaid as the aforesaid Martha Clagett administratrix as aforesaid by her Attorney aforesaid.

Nevertheless the aforesaid Martha administratrix aforesaid by her Attorney aforesaid relinquishing the averment aforesaid above by her pretended saith that she cannot deny the action aforesaid of the aforesaid William Bell so as aforesaid against her brought nor but that the aforesaid William Bell hath sustained damage to the sum of one thousand and ninety four pounds sixteen shillings Virginia Currency of the value of thirteen hundred and sixty eight pounds ten shillings current money by occasion of the promise and assumption aforesaid by the said Richard Keene Clagett in his life time to the aforesaid William Bell made in manner and form as the aforesaid William Bell above against her hath declared.

Therefore it is considered by the Judges here that the said William Bell recover against the aforesaid Martha Clagett administratrix aforesaid as well the sum of one thousand and ninety four pounds sixteen shillings Virginia Currency of the value of thirteen hundred and sixty eight pounds ten shillings Current money aforesaid his damages aforesaid in form aforesaid confessed as also the quantity of six hundred and eighty three pounds of tobacco by the Court here unto the aforesaid William

Bell