England of old used made and drew his second bill of Exchange with his
proper hand subscribed bearing date the day year aforesaid and to certain
Arden Carleton Merchant in London residing and negotiating directed
by the same bill requested the said Arden Carleton at twenty days sight
of such bill of Exchange his first or third of the same tenor & date not
being paid to pay to the aforesaid James Duke or his order the sum of fifteen
pounds sterling for value received whereof the aforesaid Arden Carleton afterwards
on the tenth day of December Anno Domini 1709 at London aforesaid had notice
then & there was requested to pay the said sum of fifteen pounds to the
order of the aforesaid James - and the aforesaid James in fact say that the aforesaid Carleton
after twenty days sight of the aforesaid bill and notice as aforesaid hitherto hath not
paid to the aforesaid James or his order the aforesaid sum of £15 and that for
want of payment thereof the aforesaid James after the twenty days sight
of the aforesaid bill by the aforesaid Carleton and on the tenth day of December Anno
1709 aforesaid at London aforesaid protested or caused to be protested the aforesaid second
bill of Exchange the first & third of the same tenor & date not being
paid according to the Customs of Merchants aforesaid where of the said Wm
Young the first day of May Anno Domini 1710 at the County of Calvert aforesaid had notice in
Consideration whereof and of the Customs aforesaid the said Wm
Young the day year & place last above mentioned upon himself
assumed & to the said James then & there faithfully promised that he
the said Wm the aforesaid sum of fifteen pounds sterling to gether with all the
damages Interests & Costs by the said James suffered or to be suffered by
reason of the protesting of the Bill aforesaid to the said James when after
thereunto required would well truly content & pay. Nevertheless the
aforesaid Wm his promise assumpt aforesaid not regarding but intending
fraudulently & intending the same James in this parte Crafftily to deceive
& defraud the aforesaid sum of £15 or the Interests damages and Costs of the
Protest aforesaid or any part thereof to the said James altho' often thereunto
required specially the first day of June 1710 aforesaid at the County of
Calvert aforesaid hath not paid but the same to him to pay hath altogether denyed
& still doth deny to the damage of the said James Duke thirty pounds
sterling & therefore he brings his Suit &c —

pleg: de Jno Doe & Ric Roe

And the said Wm Young in his proper person comes & defends the Force &
Injury when &c & says that he cannot gainsay the plaintiff his action
aforesaid so as aforesaid against him brought nor can he say but that the said
plaintiff ought to recover his damages by occasion of the promises
aforesaid to the sum of eighteen pounds sterling & Costs of suit against him the said
plaintiff denied & gainsay — Therefore it is considered by the Justices
here the 11th day of July Anno Domini 1710 that the said James Duke recover
against the said Wm Young as well the sum of eighteen pounds sterling his
damages aforesaid in form aforesaid confessed as also the sum of
twenty pounds of tobacco by the Court here adjudged unto
him for his Costs & Charges about his Suit in this behalf laid out &
expended & the defendant in Mercy &c

July Court 1710

Pl. James Duke — } Mary Land Calvert County — } William Young late of Calvert County Planter
vs
William Young } was attached to answer unto James Duke
of a plea of trespass on the Case &c

And whereupon the said James by Richard Dallam his attorney
complains that whereas the aforesaid Wm the 15th day of September 1708 at the
County of Calvert aforesaid according to the Customs between Merchants and others of
this province of Maryland and the City of London in England of old used made
and drew his first bill of Exchange with his proper hand subscribed bearing
date the day year aforesaid and to certain Arden Carleton Merchant in
London residing negotiating directed and by the same bill requested the
said Arden Carleton at thirty days sight of such bill of Exchange his second
or third of the same tenor and date not being paid to pay to the aforesaid James
or his order the sum of Sixteen pounds sterling for value received whereof the
aforesaid Arden Carleton afterwards on the 10th day of December aforesaid
London aforesaid had notice and then & there was requested to pay the said sum
of Sixteen pounds sterling to the order of the aforesaid James and the aforesaid James in
fact says that the aforesaid Arden Carleton after thirty days sight of the aforesaid bill
and notice as aforesaid hitherto hath not paid to the aforesaid James Duke or his order the
aforesaid sum of £16:0:0 and that for want of payment thereof the aforesaid James after
the thirty days sight of the aforesaid bill by the aforesaid Carleton and on the aforesaid 10th day
of December Anno Domini 1709 aforesaid at London aforesaid protested or caused to be protested the
aforesaid first bill of Exchange the second and third of the same tenor and date
not being paid according to the Customs of Merchants aforesaid where of the said Wm
the first day of May Anno Domini 1710 at the County of Calvert aforesaid had notice in
Consideration whereof and of the Customs aforesaid the said Wm the day year &
place last above mentioned upon himself assumed and to the said James
then & there faithfully promised that he the said Wm the aforesaid sum of
Sixteen pounds sterling together with all the damages Interests & Costs by
the said James Duke suffered or to be suffered by reason of the protesting
of the bill aforesaid to the said James when after thereunto required would well
truly content & pay. Nevertheless the aforesaid Wm Young his promise assumpt
aforesaid not regarding but intending and fraudulently intending the said
James Duke in this parte Craftily to deceive & defraud the aforesaid sum of
£16:0:0 with the Interests damages and Costs of the protest aforesaid or any part
thereof to the said James Duke altho' often thereunto required specially
the first day of June 1710 at the County of Calvert aforesaid hath not paid
but the same to him to pay hath altogether denyed & still doth deny to the damage
of the said James twelve pounds sterling & therefore he brings his Suit &c

pleg: de Jno Doe & Ric Roe

And the said Wm Young by his own proper person comes and defends the
Force and Injury when &c and says that he cannot gainsay the plaintiff
his action aforesaid so as aforesaid against him brought nor can he say but that the said
plaintiff ought to recover his damages by occasion of the promises aforesaid to the
sum of Seven pounds sixteen shillings sterling & Costs of suit against him the said
plaintiff denied & gainsay. Therefore it is considered by the Justices here the
11th day of July 1710 that the said James Duke recover against the said Wm
Young as well the sum of Seven pounds sixteen shillings sterling his damages aforesaid in
form aforesaid confessed as also the sum of twenty
pounds of tobacco by the Court here adjudged unto him for his Costs & Charges about his Suit
in this behalf laid out & expended & the defendant in Mercy &c