

August Court. 1741. 152

mar. hett your petitioners pray your worships to grant us our Usual Road and your petitioners as in duty bound shall Ever pray
John Sarman. Thomas Duncan. &c.

And now to wit the Eighteenth day of August Anno Dom. One thousand Seven hundred and forty One came here into Court before his Lordships Justices at dividing Creek as well the aforesaid John Sarman and Thomas Duncan two of the petitioners, as the aforesaid John Burnall J. all in their proper persons and the petition aforesaid being Read and heard, and the severall allegations as well on the part of the petitioners as on the part of the same John Burnall J. being by the Court Inquired into, and Mature deliberation thereupon had ---

It is Ordered by the Justices here ^{that} James Martin and John Starbrough of Somerset County Gentlemen Lay out and direct the Clearing of a Road from Mr Hugh Fensons this Copmes and give direction to the Overseer for the Clearing of the same Road, the nearest, and Best way, and to the East of prejudice to any person or persons whatsoever &c.

A H John Henry

Command was given to the Sheriff of Somerset County that he should Take Francis Parsons late of Francis Parsons of Somerset County planter if he should be found in his bailiwick and him should safe keep so that he might have his body before the Justices of his Lordships County Court of Somerset to be held at dividing Creek the third Tuesday of August Anno Dom one thousand seven hundred and forty one to Answer unto John Henry late sheriff of the County of - of a plea of trespass upon the Case - And the same day is given to the aforesaid John here &c.

And hereupon the said John Henry declared against the said Francis Persons in the plea aforesaid in form following - Somerset s Francis Persons late of Somerset County planter was Attached to Answer unto John Henry late sheriff of the County aforesaid of a plea of trespass upon the Case &c.

And Whereupon the same John by Robert Jenckins Henry his Attorney Complains that Whereas the aforesaid Francis the tenth day of May in the year of our Lord one thousand seven hundred thirty and nine at Somerset County aforesaid was Indebted to the same John in the sum of thirteen shillings Curr: money of the province of Maryland and seven hundred ninety and Eight pounds of tobacco for sundry Articles properly Chargeable in an Account as by an Account thereof hereinto Court brought may appear and so thereof Indebted being the said Francis afterwards (to wit) the same day and year above mentioned at Somerset County aforesaid in Consideration thereof upon himself did Assume and to the same John then and there faithfully promise that ^{he} the said Francis the aforesaid sum of money and tobacco unto the same John when thereunto aforesaid afterwards requested would well and faithfully pay and Content And altho' the said Francis nine shillings and nine pence and and twenty and four pounds of tobacco part of the aforesaid sum of thirteen shillings and seven hundred and ninety Eight pounds of tobacco unto the same John hath since paid and Satisfied Nevertheless as to three shillings and three pence and seven hundred seventy and four pounds of tobacco of the aforesaid thirteen shillings and seven hundred ninety and Eight pounds of tobacco residue the aforesaid Francis his promise and Assump^tion aforesaid