

August Court. 1741 155

Ed: Samuel Handy

Ed: Francis Allen Esq. } **Command** was given to the Sheriff of Somerset County
that he should take Francis Allen Junr. late of Somerset County planter
if he should be found in his bailiwick and him ^{should} keep so that he might have his body
before the Justices of his Lordships County Court of Somerset to be held at dividing free
in the same County the third Tuesday of August Anno Domini one thousand seven hundred and
forty one to answer unto Samuel Handy of a plea of trapap upon the Case & the same day
is given to the Ed: Samuel Handy.

And hereupon the said Samuel Handy complained against the Ed: Francis Allen
Junr. in the plea &c. in form following. . . Somerset sh: Francis Allen Junr. late of
Somerset County Planter was attached to answer unto Samuel Handy of a plea of trapap
upon the Case &c. . . And Whereupon the said Samuel by George Douglas his
attorney complains that whereas the said Francis after the first day of May Anno Domini
MDCCCV to witt on the xxij day of January Anno Domini MDCCXXXIX at the County of
Did make his certain note in writing commonly called a promissary note with his proper hand
and ~~name~~ thereunto subscribed bearing date the day and year last mentioned by which note the
said Francis promised to pay to the said Samuel Handy the sum of fourteen pounds paper
money of Maryland or seven pounds Virginia money at or upon the xxij day of January next
Ensuving the date of that note for an negro man called James for one year by means whereof
and by force of the statute in that Case lately made and provided the said Francis became chargeable
to pay to the said Samuel the said money in the said note mentioned according to the tenor of that
note and so being thereof chargeable on consideration thereof afterwards to witt the day and year.
Last Ed: at the County of. Promised to pay to the said Samuel the said money in the said note
mentioned according to the tenor of that note Nevertheless the said Francis his promise &c. in form &c.
made not regarding but minding and fraudulently Intending the said Samuel in that part ~~fraudulently~~ to
deceive the said money or any part thereof according to the tenor of that note hath not paid but that to
do altogether hath refused and still doth Refuse altho: thereto afterwards to witt the first day of February
Anno Domini MDCCXL at the County of and often since that time by the said Samuel Required to the
damages of the said Samuel twenty eight pounds Curr: money of Maryland and thereof he bring suit &c.
A copy of the foregoing declaration was made and sent to be served on the deft: for a speedy Tryall
Ed: Edges: Esq: J. Doe Esq: R. Roe
Att.