

August Court 1740 4
G.D. Francis Harper et ux

vs. James Knight Executor of
Aaron Jordine

Command was given to the Sheriff of Somerset County that he should take James Knight late of Somerset County planter Executor of the testament and Last will of Aaron Jordine late of Somerset County Carpenter deceased if he should be found in his Bailly writ 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 in the same County the third Tuesday of August Anno Domini one thousand seven hundred and thirty nine to answer unto Francis Harper and Mary his wife of a plea of trespass upon the Case & the same day is given to the aforesaid Francis and Mary here &c.

At which day here came the aforesaid Francis Harper and Mary his wife by George Douglas their attorney and the sheriff to wit John Henry Gent. now here returned that he had taken the aforesaid James Knight whose body here at this day he had ready to answer the aforesaid Francis Harper and Mary his wife of the aforesaid plea as to him it was commanded.

Whereupon the aforesaid James Knight puts in his place William Arbutle Gent. attorney at Law against the aforesaid Francis Harper and Mary his wife of the aforesaid plea.

And thereupon at the request of the parties aforesaid day is to them now here given, until next Court to be held at dividing Creek the third Tuesday of November then next following in the same State as at present saving to the parties aforesaid.

At which day here came again the parties aforesaid by their attorneys aforesaid. And hereupon the said Francis Harper and Mary his wife complained against the aforesaid James Knight in the plea as in form following.

Somerset s. James Knight late of Somerset County planter Executor of the testament and Last will of Aaron Jordine late of Somerset County Carpenter deceased was attached to answer unto Francis Harper and Mary his wife of a plea of trespass upon the Case &c.

And whereupon the said Francis and Mary by George Douglas their attorney complain that whereas the said Aaron Jordine in his life time to wit on the Eleventh day of April Anno Domini MDCCLXXVIJ at the County aforesaid was indebted to the said Mary when she was sole in the sum of five pounds sixteen shillings and Eight pence Current money of Maryland for sundry matters and things properly chargeable in Account as by an Account thereof here to Annexed may appear and so being thereof indebted on Consideration thereof afterwards to wit the day and year last aforesaid at the County aforesaid upon himself did assume and to the said Mary when sole faithfully promise that he the said Aaron the said five pounds sixteen shillings and Eight pence to the said Mary would when thereto afterwards required would pay and Content and altho' the said Aaron in his life did pay of the said sum the sum of one pound one shilling and two pence money of or the value thereof nevertheless as to four pounds fifteen shillings and six pence residue of the said five pounds sixteen shillings and Eight pence the said Aaron in his life and the said James Esq. of the said Aaron since his death the promise of the said Aaron in form aforesaid made not regarding but minding and fraudulently intending the said Mary when sole and the said Francis and Mary since Espousals between them celebrated in that part to deceive and defraud the said Aaron in his life the said residue to the said Mary or the said Francis and Mary did not pay and the said James since the death of the said Aaron the same to the said Mary or Francis and Mary hath not paid or them or either of them for the same in any sort Contented but that to doe the said Aaron in his life and the said James since the death of the said Aaron have altogether refused