

August Court - - - 1723 - - - 118

Complained and of this he puts himself up on the County Dashed off Deft - And doth p^{er} in like manner -

Thereupon Command is given to the Sher^{iff} of Somerset County that Immediately he Cause to Come here twelve
E^t by whom E^t who Ma^{ster} E^t to Recognize E^t. Because as well E^t of which said precept the said Sher^{iff} to wit^t J^r.
Maulester Gent^{le} now here at this day to wit^t the same day and Year last mentioned makes Return that he has here
ready twelve E^t as by his said precept he was Commanded and Now here after wards to wit^t the same day and Year Comes
as well the said p^{er} as the said Deft by their attorneys and the Jurors of that Jury Impannelled Being Called
Likewise Come to wit^t John Grey, John Beaven, John Fleming, Jonathan Raymond, Charles Townsend, John
Tull, John Gillett, Thomas Collins, John Ince, John Williams, Robert Mitchell, Lazarus Maddock Roakamok
who being duly Oathed byed and sworn to say the truth in the premises upon their Oath do say that the said Em^{on}
and Huggin did assume upon himself in manner and form as the said Robert Martin above against him -
hath Complained, and do a^{ss}ess the damages of the said Robert by Omission of the premises and besides his
his Costs and Charges in this behalf Said Out and Expended, to Eight hundred and Seventy four pounds
of tobacco, and One pound of tobacco Cost E^t

Therefore it is Considered by the Justices here the twentieth day of August and One them:
said Seven hundred and twenty three that the said Robert Martin Recover against the said Em^{on} -
Huggin as well the Sum of Eight hundred and Seventy four pounds of tobacco his damages and in form and a^{ss}essed
as also the Sum of Seven hundred and fourteen pounds of tobacco
by the Court here ad^{ju}ded unto him for his Costs and Charges by him about his Suit in this Behalf Said Out
Expended and and Deft in M^{er}y E^t

The same
L^y Timothy Malcolme
Somerset County
Timothy Malcolme of Stepney Parish in Somerset County Clerk was
attached to answer unto Robert Martin of a plea and a^{ss}ess upon the Case E^t
And whereupon the said Robert by Francis Allen his attorney Complains that Whereas the said
Timothy the thirtieth day of November and D^{id}. One thousand Seven hundred and twenty two at the parish and County and within the
Jurisdiction of this Court was Indebted unto the said Robert in four hundred and sixty pounds of tobacco for Lewis and for Bear:
ance thereupon to the said Robert then and there due Owning and unpaid as by an a^{ss}ess. There of thereunto answered may in Court
appear and being so there of Indebted the said Timothy Inconsideration thereof to wit^t the day and Year and at the place and
upon himself did assume and to the said Robert then and there faithfully did promise that he the said Timothy the a^{ss}ess four
hundred and sixty pounds of tobacco to the said Robert when he should be afterwards thereunto requested he would well and faith:
fully pay and Content Nevertheless the said Timothy his promise and assumption and in form and made Letter regarding but
plotting and fraudulently Intending the said Robert in that part Craftily and Subtly to deceive and defraud the a^{ss}ess four
hundred and sixty pounds of tobacco to the said Robert he hath not paid or to him for the same in any wise Contented altho the same
to doe the said Timothy by the said Robert on the first day of December in the Year and often afterwards in the County and
parish and within the Jurisdiction and he was thereunto requested But the same to him to pay or in any wise to Content
hath refused and still doth refuse and deny whereupon the said Robert saith he is worse and hath damage to the
value of Nine hundred and twenty pounds of tobacco and thereupon he brings the Suit E^t
Alam^{us} P^{ro} Q^{ue}do dest J^r Doe R^uie