Arthur the first day of March in the Year of Our Lord God One thousand Seven hundred and twenty at Somersett County within the Jurisdiction of this Court was Indebted unto the aft Hugh in the Sum of twelve Barrells of Indian Corn of the value of twelve hundred pounds of tobacco for One horse Sold, and by ye Same Hugh unto the aft Arthur at the Speciall Instance and Request of the Same Arthur before that time there sold and delivered at the price aft, as by an and thereof here ready in Court to be produced may appear and so there of being Indebted the aft Arthur afterwards to wit the Same first day of March in ye Year aft at the County aft and within the Jurisdiction aft in Consideration thereof upon himselfe did assume and unto the Said Hugh then and there faithfully did promise that he ye aft Arthur the Same twelve Barrells of Indian Corn unto the Same Hugh when thereof afterwards he should be Required well and faithfully would pay and Content and altho. the aft Arthur five hundred pounds of tob. in Lieu of five Barrells of Indian Corn Parcell of the aft twelve Barrells of Indian Corn to the Said Hugh he hath paid and Satisfyed Yett as to Seven Barrells of Indian Corn Residue of the aft twelve Barrells of Indian Corn the Said Arthur his promise and assumption aft in form aft made Little Regarding but minding and fraudulently Intending the Same Hugh in this part Craftily and Subtilly to deceive and defraud the aft Seven Barrells of Indian Corn or any part there of unto the Same Hugh hath not paid or in any Sort Contented altho to do the Same the aft Arthur afterwards to wit the first day of November in the Year of Our Lord God One thousand Seven hundred and twenty One and Often afterwards at the County aft within the Jurisdiction aft by the aft Hugh he was Requested but that unto him hitherto pay or in any Sort to Content altogether hath Refused and Still doth Refuse to the damage of the Said Hugh of One thousand four hundred pounds of tobacco whereupon he Brings his Suit &c. ff Allen ff Dle Clodyer dcd. Iw Do ek Ro

1720 Arthur Hayman - - - - Dr.

March 1. To three Soldiers for 12 Barrells Indian Corn -- By George Fitz Hugh 500 tob. in Lieu of 5 barrs. Corn

Balce due to me is - - - - - 7 barrells

Errors Excepted ff Hugh McCollogan

A Copy of the foregoing declaration was made & sent with the writt in the Case aft

Whereupon the Said Arthur Hayman being Called appears and thereupon the Said Arthur Hayman at the prayer of the plft attorney aft is adjudged to give Speciall Bail to the action aft, but for want thereof the Said Arthur Hayman is Committed into the Custody of the Sherr of Somersett County there to remain &c. the Said Sherr. being Present here in Court took Charge of the Said Arthur Hayman Accordingly &c. Whereupon the Said Hugh McCollogan by his attorney aft prays that the Said Arthur Hayman in Custody as aft to his declaration in the plea aft may answer, whereupon the aft Arthur Hayman in Custody as aft hath time given him by the Court untill two of the Clock of the Same day here to answer &c. And afterwards the Same Arthur Hayman in Custody as aft altho Solemnly Called to answer Cometh not but makes default nor anything there of says in Barr or preclusion of the action aft, whereby the Same plft remains against the Same deft there of Undefended &c.

Therefore it is Considered by the Justices here the Seventeenth day of March Anno Dom. One thousand Seven hundred & twenty three that the Said Hugh McCollogan Recover against the Said Arthur Hayman (in)