

of thirteen hundred and eleven pounds of tobacco damages by the Justice of the Peace in form of  
25<sup>th</sup> as also the sum of two hundred and fifty seven pounds of tobacco by the  
Court here adjudged for his costs and charges by him about his Suite in this behalf said out and  
Expended and the cost of the Money &c

By Benjamin Wailes } Somerset p. Arthur Warwick Sale of Somerset County Blanter 10<sup>th</sup> March  
vs. Arthur Warwick } -ed to answer into Benjamin Wailes of a plea of trespass upon the Case &c

And where upon the same Benjamin by Lewis Gale his attorney Complainant that  
whereas the said Arthur Warwick the twentieth day of March One thousand seven hundred and  
seven been at the County of within the Jurisdiction of this Court was indebted unto the same Benjamin  
Wailes in the sum of four hundred & ninety pounds of tobacco as by his certain Note thereto Court may  
appear and so thereof being indebted the said Arthur in consideration thereof afterwards to wit the  
same day & year at the County of within the said Jur. upon himself assumed to the same Benj-  
ham & there faithfully promised that he when afterwards he should be there to required he should  
sum of four hundred & ninety pounds of tobacco to the same Benjamin would well and faithfully content  
to pay never the less the said Arthur his promise & assumption of in form of made not regarding but  
plotting & fraudulently intending the same Benj. in that part to defraud & deceive the said Benj. the  
said sum of four hundred & ninety pounds of tobacco or any part thereof to the same Benj. altho' often  
by the same Benj. thereto required afterwards vizt upon the thirtieth day of March in year above  
Somerset County of within the Jur. of hath not paid or the same Benj. for it in any wise content-  
ted but the said Arthur hath to to pay or the same Benj. for it in any way to content hath  
altogether refused and still doth refuse whereby the same Benj. says he is and hath  
Damage to the value of One thousand pounds of Tobacco & thereof brings this Suite &c

And the said Arthur Warwick in his own proper person comes and defendeth the force and  
injury whereof and says that he cannot gain any the Cost his action of so as against him brought  
nor can he say but that the said Cost ought to recover his Damages by Quareon of the Promise  
of to four hundred and ninety pounds of tobacco and Costs of Suite against him which the said Cost  
doth not gain any &c

Therefore it is considered by the Justice here the thirteenth day of  
March and doth One thousand seven hundred and twenty five that the said Benjamin Wailes  
Recover against the said Arthur Warwick as well the sum of four hundred and ninety pounds  
of tobacco his Damages by Quareon of the promise of in form of as also the sum of two  
hundred and forty four pounds of tobacco by the Court here adjudged unto him for his Costs  
and Charges by him about his Suite in this behalf said out and Expended & cost of the Money &c

By The Same } Somerset p. J. S. Sumers Sale of Somerset County Blanter ad J. S. Sumers  
vs. J. S. Sumers } of Somerset County Blanter was Sumoned to Answer into Benj. Wailes  
(of)