

Ed Thomas Hugg } Somerset p James Smith late of Somerset County planter was attached to  
Ed. James Smith } answer unto Thomas Hugg of a plea of trespass upon the case &c

And whereupon the same Thomas Hugg by George Dashiell his attorney Complain  
that the said James in the year of our Lord one thousand seven hundred and twenty four at Stegney  
Barish within the Jurisdiction of this Court was Indebted unto the same Thomas the Sum of Six  
hundred pounds of tobacco and one young Cow and calf of five years old not to exceed six years  
old it being for above which the said Thomas at the special Instance and request of the said James  
sold and delivered and the said James being indebted as aforesaid for and in consideration aforesaid at the  
time and place aforesaid did upon himself assume and to the said Thomas then and there did faithfully  
promise that the said six hundred pounds of tobacco and one young Cow and calf of five years  
old not to exceed six years old he would well and truly pay when there to requested and altho' six  
hundred pounds of tobacco part of the Debt aforesaid the said James hath paid and Contented yet as to  
the Residue being one young Cow and calf of five years old not to exceed six years old  
According to his promise and assumption aforesaid altho' after there to requested unto the said Thomas  
he hath not paid nor in any wise Contented but the same to pay hath refused and she doth refuse  
to of Damage of the said Thomas of twelve hundred pounds of tobacco. and thereof he brings  
Suite Dashiell p Dnr. Hedges Judoc K Hae

And the said James Smith by Leonie Gale his attorney Cometh and defendeth the force and Injury  
when Ed. and prays Leave to Judge hereunto until the next Court and he hath it and the same  
Day is given to the said Ed. here also

All which said next Court to wit the sixteenth day of August ann. Dom. One thousand  
Seven hundred and twenty six came again as well the said Thomas as the said James by their  
attorneys aforesaid and the said James by his said attorney pray further Leave to Judge hereunto  
until the next Court and he hath it and the same Day is given to the said Ed. here also

At which said next Court to wit the fifteenth day of Novemb. ann. Dom. One thousand seven  
hundred and Twenty six came again as well the said Ed. as the said Dashiell by their attorneys  
aforesaid, and thereupon the said Dashiell by his said attorney as before defendeth the force and Injury  
when Ed. and says he did not assume upon himself in manner and form as the Ed. against  
him above hath Complain'd and of this he puts himself upon the Country, &c - and the Ed.  
in like manner  
Whereupon the said James Relinquisheth  
his Verification aforesaid by him above alledged and says that he cannot gainsay but that he did promise  
and upon himself assume in manner and form as the said Thomas by declaring aforesaid above supposed  
wherefore the said Thomas his Damages by occasion of the Non performance of the promise aforesaid