

at the County aforesaid upon himself did assume, and to the said Archibald then and there did faithfully promise, that he the said David, the said three pounds fifteen shillings and four pence to the said Archibald when he should be thereunto requested he would well and faithfully pay, and content, and altho the said David three shillings free of the aforesaid three pounds fifteen shillings and four pence to the said Archibald he hath paid and satisfied yet as to three pounds twelve shillings and four pence residue thereof the said David his promise and assumption aforesaid made nothing regarding but plotting and fraudulently intending the said Archibald in that part craftily and slyly to deceive and defraud the said three pounds twelve shillings and four pence to the said Archibald aforesaid. He same to do, the said David by the said Archibald on the aforesaid twenty third day of December in the year aforesaid and often afterwards at the County aforesaid he was thereunto Requested hath not paid or to him for the same in anywise contented but the same to him to pay or in any wise for the same to content hath hitherto altogether refused and still doth Refuse and deny whereupon he says he is worse and hath Damage to the Value of seven pounds money aforesaid and thereupon he brings suite vs. ~~ff. Allen~~ ~~ff. Dele~~ ~~ff. Bridges~~ ~~ff. Dele~~ ~~ff. Doe~~ ~~ff. Roe~~ -

1728 David Robinson Dr
 Decem: 23 To 7 yds Linn .. 23/10 ... Linn 6 to
 To 5 yds pliniv .. 24/ .. Linn 0
 To 1 pair gloves .. 3/6 .. on 3 6
 To 2 yds of Linn .. 22/ .. on 5 0
 To 4 yds Baze .. 24/ .. on 9 4
 To thread .. 9 .. on 0 9
 To and ferrett 27 .. on 0 7
 To a lace .. 5/6 .. on 5 6
 To Linn & p. Holland tape 1/8 .. out 1 0
 To 1/2 paper Linn 9 3 p. tape 6 .. out 1 3
 To Dinner 6 Linn 3 .. on 0 9
 £ 3 15 4

1728 To Archibald Smith
 Decem: 23 by Cash 9/ .. Linn 3 0
 bal: due to A S .. 3 12 4
 3 15 4

Prove & Legat ff Arch Smith -

A copy of the foregoing Declaration and account were made and sent to be served on the Deft. with the writ in the plea aforesaid.

At which said third Tuesday of March to wit the Eighteenth day of the same month and Day One thousand Seven hundred and twenty Eight being the day of the Return of the said Writ Cometh the said Archibald Smith by his attorney aforesaid and the Sherr of Somerset County to whom the foregoing writ was directed Likewise Cometh and makes the return thereof to the Court here Endorsed in these words - following vizt. ~~Ex~~ ~~for~~ ~~his~~ ~~declaration~~ delivered in time of ~~the~~ ~~Court~~ ~~here~~ ~~Endorsed~~ ~~in~~ ~~these~~ ~~words~~ -

And the said David Robinson at the prayer of the said attorney aforesaid is adjudged to give Special bail to the action aforesaid Whereupon aforesaid George Dashed of Somerset County Gentleman present here in Court undertakes for the said David Robinson that if in case the said Archibald Smith shall recover Judgment in the plea aforesaid, against the aforesaid David Robinson, or that the said David Robinson shall be therein found that then he the said David Robinson shall pay the condemnation of the Court thereupon or tender his body to the custody of the Sherr of Somerset County in satisfaction ^{there} of the same or that he the said George Dashed will do it for him &c.

Whereupon the said David Robinson by George Dashed his attorney comes and defends the force and injury when &c and says that he cannot gain say the action aforesaid of the said Archibald nor can he say but that he did assume upon himself in manner and form aforesaid as the said Archibald above against him hath complained; and as to the Damage of the said Archibald by him by Occasion of the premises in that part sustained, the same David says and confesseth, that the said Archibald hath sustained Damage by Occasion of the premises besides his for and Charges by him about his suite Expended to three pounds twelve