

March Court... 1728 ... 172
 said five hundred and Ninety one pounds of tobacco to the said John when he should be thereunto afterwards required
 he would well and faithfully pay and Content Nevertheless the said Robert his promise and assumption as in form
 as made, nothing regarding but blotting and fraudulently Intending, the said John in that part craftily and
 Subtly to Deceive and defraud, the said five hundred and Ninety one pounds of tobacco to the said John altho.
 the same to do the same Robert on the said thirteenth day of August in the Year as and often afterwards
 at the County as by the said John he was thereunto Requested hath not paid, or to him for the same in any
 wise Contented, hath not paid, but the same to him hitherto to pay or in any sort to Content hath refused and
 still doth refuse and deny whereupon he saith he is worse and hath damage to the value of One thousand
 pounds of tobacco and thereupon he brings suite *of Allen found Bledg. & 2000 K Roe.*

Mr. Robt. Graham	591
To paid you by George Bankers for my use	210
To paid you by Wm. Miles for my use	125
To paid you by Roger Miles for my use	72
To paid you by Jacob Sheppard for my use	60
To paid you by Wm. Rite for my use	62
To paid you by Selby Onions for my use	62
	<hr/>
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Errors Excepted this 13th day of August 1727 of John Kendale
 agree the to: 1729 Personally appeared before me the Subscriber One of the Justices of the High Court
 the Lord Proprietary for the County of Somerset the above named John Kendale and made oath upon
 the holy Evangelist of Almighty God, ^{that the above and} is just and true as appears by Sundry affidavits now in his hands
 and that the above named Robert Graham never gave his amount credit for the Service of tobacco
 above named, and never by himself or any other paid the said Kendale the above sum of five
 hundred and Ninety one pounds of tobacco and that the said sum is still due and unpaid to the said Kendale
 by the said Graham
J. D. Holt

And the said Robert Graham by Levi Gale his attorney comes and defends the force and injury
 say: when^d and prays leave to Judgment hereunto until the next Court and he hath it and the
 Judgment is given to the said Kendale here also *vs*

All which said next Court to wit the Eighteenth day of March and Term One thousand seven
 hundred and twenty eight came again as well the aforesaid John Kendale as the aforesaid Robert
 Graham, by their attorneys aforesaid, and whereupon the said Robert Graham by his said attorney as before
 defends the force and injury when^d and says that he cannot answer the action as of the said John
 Kendale, nor can he say but that he did assume upon himself in manner and form as the said John above say^d
 him hath Complain'd; and as to the damage of the same John, by him by reason of the premises Complain'd
 in that part sustained the same Robert says and Confesseth, that the said John has sustained damage by reason
 of the premises besides his costs and Charges by him about his suit in that part Expended to five hundred & Ninety
 one pounds of tobacco and because the said John doth not answer this but the same allegation Confesseth
 to be true, prays Judgment and his damages above Confessed together with his costs and Charges as to him
 adjudged *vs*

Therefore by consent of the parties as it is Considered by the Court ^{here} that the said
 John Kendale Recover against the said Robert Graham his damages as to the said five hundred and
 ninety one pounds of tobacco by the same Robert in form as Confessed as also two hundred &
 thirty six