

June Court 1729

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John West
Somerset. William West late of Somerset County planter was attached to
Ld. Wm. West answer unto William Hopkins of a plea of charge upon the fore &c.

And whereupon the same Willm. Hopkins by shaw. All on his atty. Cou.
pleines that whereas the afd Willm. West the first day of July last Doris one
thousand seven hundred twenty & seven at Soudett Co. within the Jur. of this Ct.
was indebted to of same Willm. Hopkins in y^e Sum of Six Hundred twenty & a halfe
pounds of tob. & there of being indebted of said Willm. West in consideration thereof
afterwards by y^e same day year afd at y^e City afd & within y^e afd Jur. upon him
self assumed & to the same Willm. Hopkins then & there faithfully promised y^e he
when afterwards he should be there to require y^e afd Sum of Six Hundred twenty &
a halfe pounds of tob. to y^e same Willm. Hopkins would well & faithfully content pay
Never the less the said Willm. West his promise & assumption afd in form afd made
not regarding but & letting & fraudulently intending him the same Willm. Hop.
kins in y^e part craftily & subtilly to deceive & defraud y^e afd Six Hundred twen-
ty & one halfe pounds of tob. or any part thereof by same Willm. Hopkins
he hath not paid although y^e same to doe y^e afd Willm. West (by legward. bid)
the same day year afd at y^e City afd & within y^e afd Jur. & of ten
afterwards by y^e same Willm. Hopkins was required but he y^e same hath
to to doe hath altogether refused & still doth refuse whereby y^e same
Willm. Hopkins says he is worse hath Damage to y^e Value of twelve hundred
pounds of tob. & there of brings this suite for

And the afd Willm. West by Levin Gallis atty. Cou. & Defends the
force and Injury whereof and prays leave to support hereunto untill y^e next
Court and he hath it the same day is given to y^e afd Ld. here also

At which said next Court to witt y^e sevenenth day of June and Doris one thousand
seven hundred and twenty nine came again as welle the afd William Hopkins, as the afd William West by
their attorney afd, and whereupon the afd William Hopkins by his said attorney prays that the afd Wm.
West to his declaration afd may answer &c. But the same attorney of the same William West saith that he
is not informed by the same William West his Grant of any answer for the same William West in
plea afd to be given and nothing else thereof saith by which the same William Hopkins Remaneth ag^t.
the afd William West thereof undefended &c. wherefore the same William Hopkins his Damages
by reason of the non performance of the promise and assumption afd against the afd William West ought
to recover &c. And whereupon the Justice here according to act of assembly in such case lately made &
provided, at the prayer of the same Wm. Hopkins and by the Consent of the afd Wm. West, do afd the
Damage of the same Wm. Hopkins by reason of the Non performance of the promise and assumption
afd besides his Costs and Charges by him about his suit in that part agreed to six hundred and twenty
and a halfe pounds of tobans.

Therefore it is considered that the afd Wm. Hopkins Recov-
er against the afd William West his Damages afd to the afd six hundred and twenty and a halfe pounds