

Recover against the said William West two pounds fifteen shillings and one penny current money his Damages and by the same William in form and confessed as also Two hundred and sixty pounds of tobacco for his Costs and Charges and to the same Verdict at his Request by the Court here by Consent of the parties and adjudged which certain Damages in the whole do amount to two pounds fifteen shillings and one penny current money and power of tobacco to be paid in money &c

Sh. Dor. McCarter } Souders vs. William Miles, Late of Somerset Co. in England was attached to answer unto Dor. McCarter of trespass upon the Case &c

Will^m Miles } And whereupon the same Dor. by Sever Gale his atty complains that whereas the said Will^m the tenth Day of Novemb^r Ann^o Dom^o one thousand seven hundred & twenty six at Somerset Co. within the Jur^{is} of this Court was indebted unto the same Joseph in the Sum of Eight Hundred & thirty eight pounds of tobacco as by an Act. Reference therunto being had may more fully appear & others of being indebted the same Will^m in Consideration thereof afterwards to wit the same Day & year at the County of &c within the said Jur^{is} upon himself assumed & to the same Dor. then & there faithfully promised that he when afterwards he should be thereto requested he the said Sum of Eight Hundred & thirty eight pounds of tobacco to the same Dor. would well & faithfully Content & pay Never the less the said Will^m his Promise & assumption and in form and made Little regarding but plotting & fraudulently Intending him the said Dor. in that part Craftily & Subtly to Defraud & deceive he the said Will^m the said Sum of Eight Hundred & thirty eight pounds of tobacco nor any part thereof to y^e same Dor. hath not paid altho^{ugh} the same to do the said Will^m afterwards to wit the same Day & year at y^e County of &c within the said Jur^{is} was requested but he y^e same to do hath altogether refused & still doth refuse Where by the same Dor. says he is worse & hath Damage to the value of Sixteen Hundred & seventy six pounds of tobacco & thereof he brings this Suite &c

Shale of Quer. Gledges & Du Dor & Roe
Whereupon the said Will^m Miles in his own Prover Person Comps & Defends the force and Injury when &c And says that he cannot Gain say the Action and of the said Dor. Nor but that he do assume upon himself in Manner & form as the said Joseph above against him hath Complaind as to the Damage of the same Joseph by him by Occasion of the premises in that part sustained the same William says & Confesses that the said Joseph has sustained Damage by Occasion of the premises beyond his Costs & Charges by him about his Suite in that part appord to Eight Hundred & thirty eight pounds of tobacco & not more because the said Dor. says Not this but the same Allegation Confesses to be true prays Judgment. & those Damages above Confessed together with his Costs & Charges and to him adjudged &c

Therefore it is considered by Consent of the Parties and that y^e said Dor. McCarter recover against the said Will^m Miles Eight Hundred & thirty eight pounds of tobacco his Damages as and by y^e same William in form and Confessed as also Two hundred & one pounds of tobacco for his Costs & Charges and to y^e same Dor. at his Request by y^e Court here by Consent of y^e parties and adjudged which certain Damages in the whole do amount to One thousand & thirty eight pounds of tobacco and power of tobacco to be paid in money &c