

Henry Spear } Somerset J. William Whittington Late of Somerset County Gent. was attached to answer
L. J. William Whittington } unto Henry Spear of a plea of trespass upon the Case &c.

And whereupon the said Henry Spear by Francis Allen his attorney complains that -
whereas the said William the thirty first day of August. Ann. Dom. Seventeen Hundred and twenty
- five at Somerset County within the Jurisdiction of this Court was indebted -
unto him the said Henry in five hundred pounds of Tobacco as by certain Note by the
said William signed dated the day and Year aforesaid may in Court appear -
and being so thereof indebted the said William in Consideration thereof the day
and Year aforesaid at the place aforesaid in the County aforesaid upon himself -
did assume to the said Henry then and there did faithfully promise that he
the said William the aforesaid five hundred pounds of Tobacco to the said Henry
When he should be thereunto requested he would well and Faithfully Pay and
Content Nevertheless the said William his promise and assumption aforesaid in
some aforesaid made Nothing regarding but Plotting and Fraudulently -
Intending the said Henry in that parte Craftily and Subtly to Deceive -
and Defraud the aforesaid five hundred pounds of Tobacco to the said Henry -
altho the same to do the said William by the said Henry on the aforesaid thirty
first Day of August in the Year aforesaid and then afterwards at the County
aforesaid within the Jurisdiction aforesaid he was thereunto requested hath
not paid or Contented but the same to him hitherto to pay or Content
hath refused and still doth Refuse and Deny to the Damage of the said
Henry of one thousand pounds of Tobacco and thereupon he brings Suit &c.

And the aforesaid William Whittington by ^{Francis Allen Esq. Bledger Esq. Jesso Rhee} Lewis Gale his Attorney -
Cometh and defendeth the force and Injury when &c. and prayed Leave
thereof to Imparle here untill the next Court and he had it and the same
day is given to the aforesaid plaintiff here also -

- All which said next Court to witt the fiftenth day of June Ann. Dom. 1791
one thousand Seven hundred and thirty one came againe as the aforesaid
Henry as the aforesaid William by their Attorneys afo and whereupon the
said William prayed further Leave thereof to Imparle here untill the
next Court and he hath it and the same Day is given to the aforesaid Henry
here also -

All which said next Court to witt the Seventh day of August Ann. Dom. 1791
one thousand Seven hundred and thirty one came againe as well the
said Henry as the aforesaid Wm by their Attorneys and whereupon the said
William as before Defendes the force and Injury when &c. and saith that
he hath not assumed upon himself in Manner and form as the aforesaid
as the aforesaid Henry against him hath complained and thereof