

Richard Gilbart esquire of the parts of the parts upon the case &c. And whereupon the said Richard by W^m Bunting
:ham his attorney Complaines that whereas the said Charles the first day of May and Dow. Seventeen hundred &
thirty at Somerset County aforesaid within the Jurisdiction of this Court was indebted unto the said Richard
in the Quantity of Seven hundred and thirty Seven pounds of tobacco for divers goods wares and Merchants
:dise by the same Richard to the same Charles at his especial Instance and Request there before that time sold
and delivered and being so therewith indebted the said Charles in consideration thereof the day and year aforesaid
at Somerset County aforesaid within the Jurisdiction aforesaid upon himselfe did assume and to the said Richard
then and there did faithfully promise that he the said Charles the said Seven hundred & thirty seven pounds of
tobacco to the said Richard when he should be therunto Requested he would well and faithfully pay and Content
nevertheless the said Charles his promise and assumption aforesaid in form as made nothing regarding but
plotting and fraudulently intending the said Richard in that part rashly and Publicly to deceive and defraud
the aforesaid Seven hundred and thirty Seven pounds of tobacco to the said Richard altho. the same to do
the said Charles by the aforesaid Richard on the aforesaid first day of May in the Year aforesaid and often
afterwards at Somerset County aforesaid within the Jurisdiction as he was therunto requested hath not paid
or to him for the same in any sort Contented but the same to him hitherto to pay or in any sort to Content hath Refu:
:sed and sheweth Refuse and deny whereupon he saith that he is wove and hath damage to the value of
fourteen hundred pounds of tobacco and thereupon he brings Suit &c -

W^m Buntingham of Quod sp^o & R^o Roe

A Copy of the foregoing declaration was made and Sent to be served on the said Charles Young, with the writ of
eight days before the Return of the same writ in order for plea or Judgment that same term do

At which said third Tuesday of March to wit the twenty Friday of the same month and Dow. One thousand
seven hundred and thirty One being the day of the Return of the same writ Cometh the aforesaid Richard Gil:
:bart by his attorney aforesaid and the Sher. of Somerset County to whom the foregoing writ was directed -

Likewise Cometh and maketh Return thereof to the Court here endorsed in these words *breve Regi Regis declaracion*
:tion delivered in time of Joshua Caldwell J^o -

The said Charles Young in his proper person present here in Court at the prayer of the aforesaid Richard
Gilbart by his attorney aforesaid is assigned to give Special bail to the action &c. whereupon a certain Timothy
Adkinson of Somerset County planter present here in Court in his proper person assumed upon himselfe and un:
:dertook for the same Charles Young that if in case the said Richard shall Recover Judgment in the plea aforesaid
against the said Charles or that the same Charles shall be theron convicted that then he the said Charles shall pay:
the Condemnation of the Court thereupon or Render his Body in Execution of the same Judgment. or that he said
Timothy Adkinson will do the same for him. -

Whereupon the aforesaid Charles Young in his proper person Comes and defends the force and Injury
whereof and says that he cannot gain say the action aforesaid, of the aforesaid Richard, nor but that he did
assume upon himselfe in manner and form as the aforesaid Richard above against him Complaines and
as to the damages of the same Richard by him by occasion of the premises in that part sustained
the same Charles saith and Confesseth that the aforesaid Richard sustained damages by Occa:
:sion of the premises beyond his costs and Charges by him about his Suit in that part appoyed to: Seven
hundred