

against him hath declared wherefore the same Levin prays Judgment for his debt and his damages sustained by
Omission of the detaining of the same ^{debt} to him to be adjudged &c.
Therefore it is considered that the said Levin Gale recover against the said George Wilcox his
debt and his damages sustained by Omission of the detaining of the same debt to Two hundred ^{and} ^{thirty}
274 by ^{four} pounds of tobacco to the same Levin of his spent by the Court here adjudged &
the said George in ^{the} ^{County} ^{of} ^{Somerset} ^{County} ^{Virginia}.

vs John Horsey } Somerset County } Henry Smith late of Somerset County planter was attached to an:
Henry Smith } Answer unto John Horsey of plea of trespass upon the case &c. —

And whereupon the said John Horsey in his own proper person complains that
whereas the said Henry the twenty seventh day of September and One thousand Seven hundred & thirty
One at Somerset County and within the Jurisdiction of this Court was indebted unto the said
John in three pounds five Shillings ^{current} money and five hundred and thirteen pounds of Tobacco —
and being so thereof indebted the said Henry in consideration thereof the day and year and at the
County and within the Jurisdiction upon himself did assume and to the said John and there did
faithfully promise that he the said Henry the aforesaid three pounds five Shillings ^{current}
money and five hundred and thirteen pounds of Tobacco to the said John when he should be
thereunto requested he would well and faithfully pay and content yett never the less the
said Henry his promise and assumption and in form and made nothing regarding but
plotting and fraudulently Intending that the said John in that part craftily and subtilly
to Deceive and Defraud the said three pounds five Shillings & five hundred and thirteen
pounds of Tobacco to the said John although the same to do the said Henry by the said John
on the day and year and often afterwards at Somerset County and within the Jurisdiction
was thereunto requested hath not paid or contented but the same to him hitherto to pay hath
Refused and still doth Refuse and Deny whereupon the said John saith he is worse and
hath Damage to the Value of Six pounds ^{current} money and ^{one} ^{hundred} ^{and} ^{thirteen} ^{pounds}
of tobacco and thereupon he brings Suit &c. — — — — — Eledges & John Doe & B. Broc

And the said Henry Smith in his proper person Cometh and defendeth the force and Injury whereof and
says that he cannot gainway the action of the said John Horsey nor can he say but that the said
Smith did assume upon himself in manner and form as the said John above against him hath complained
and as to the damage of the same John by him by Omission of the premises in that part sustained the said
Henry saith and Confesseth that the said John has sustained damages by Omission of the premises further
than his Costs and Charges by him about his suit in that part appoyed to three pounds five Shillings ^{current} money
and five hundred and thirteen pounds of tobacco and not more, and because the said John says not this but
the same allegation Confesseth to be true prays Judgment for those damages above Confessed together with
his Costs and Charges and to be ^{adjudged} ^{to} ^{him} ^{as} ^{followeth} &c. Therefore by Consent of the parties and it is considered
that the said John Horsey Recover against the said Henry Smith his damages and the said three pounds five Shillings ^{current}