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in such case used and approved did direct the payment of the said Six thousand four hundred and Sixty Eight pounds of tobacco in the bill aforesaid mentioned to the said Levin Gale being for value received which same bill so aforesaid and the tobacco therein mentioned or any part thereof in no sort satisfied being afterwards to wit the thirty first day of July in the Year of our Lord One thousand Seven hundred and thirty Six at Somerset County by the said Joseph Maffester then and there was required to accept the same bill and to pay the said Six thousand four hundred and Sixty Eight pounds of tobacco therein mentioned according to the tenor of the said Bill which same bill to accept or the tobacco therein mentioned to pay to the same Joseph Maffester then and there altogether did refuse whereof the said William Wye afterwards to wit the day and Year Last mentioned at the County aforesaid had notice by reason whereof as also by force of the Statute in case made and Provided the same William Wye became and was chargeable to pay unto the said Levin Gale the said Six thousand four hundred and Sixty Eight pounds of tobacco in manner aforesaid and so thereof being chargeable the said William Wye afterwards to wit the same thirty first day of July in the Year Last mentioned at the County aforesaid in consideration thereof upon himself did assume and to the said Levin Gale then and there did faithfully promise that he the same William Wye the said Six thousand four hundred and Sixty Eight pounds of tobacco to the said Levin Gale when thereof afterwards he should be required well and faithfully would content and pay And whereas also the said Levin Gale afterwards to wit the said thirty first day of July in the Year of our Lord seven: teen hundred and thirty six at Somerset County at the Especial Instance & request of the said William Wye had paid and satisfied unto the said John Maffleigh other Six thousand four hundred and Sixty Eight pounds of tobacco he the said William Wye in consideration thereof afterwards to wit the day and Year Last mentioned at the County aforesaid upon himself did assume and to the said Levin Gale then and there faithfully did promise that he the said William Wye the said Six thousand four hundred and Sixty Eight pounds of tobacco last mentioned or so much money as the said tobacco should be reasonably worth when thereof afterwards he should be required well and faithfully would pay and content and the said Levin Gale in such said that the tobacco aforesaid was reasonable worth viztly four Pounds thirteen Shillings and eight pence whereof the said William Wye then and there likewise had notice Nevertheless the said William Wye his severall promises and assumption aforesaid in no sort regarding but minding and fraudulently intending the same Levin Gale in those parts craftily and subtilly to deceive and defraud the said six thousand four hundred and sixty eight pounds of tobacco first mentioned or the said sixty four pounds thirteen shillings and eight pence or any part thereof to the same Levin Gale altho' often thereunto particularly on the third day of August in the year aforesaid at the County aforesaid hath not paid or him for the same in any sort contented but the same to him to pay or for the same in any sort to content hitherto altogether hath refused and still doth refuse to the damage of the said Levin Gale ninety pounds four money and thereof he brings suit &c. *Edw. Gale* and