

The Plt Declaers against the Defendant in an action of debt to Liber B  
the valew of fiue hundered and thirty pounds of tobacco P bill for  
that the defendant stands indebted to the Plt: the sayd sume of  
tobacco as more at large by his bill will appeare and is denied payment  
thearof thearfor the plantiue humbly Craueth order of Court for his  
sayd debt with Cost and Charge of suite

Whearupon the Dft desireth that the Plt might proue his bill to  
which the Plt alleaged that his witnesses are not in the Countye whear-  
upon the defendant Craued a nonsuit with Cost and Charge of suit  
It is thearfor ordered that the Plantiue shall bee nonsuited and pay  
the Cost and Charge of suit

John Lumbrozo Plantiue } The Plantiue Aresting the Dft in [p. 503]  
Jheromy frost Defendant } an action of debt to the valew of  
P his Attorney Mr Wm Price } four hundered pounds of tobacco  
Prfereth his declaration as fol-  
loweth:

John Lumbrozo Plantiue  
Jheromy frost P his Attur: Mr Wm Price Defendant:

The Plantiue Declaers against the defendant in an Action of debt:  
to the valew of four hundered pounds of tobacco for that the Defen-  
dant standeth indebted unto the Plt the sayd sume of tobacco as P bill  
more at larg will appear and is denied payment thearof the plantiue  
hath entered his suit Humbly Crauing order of Court for his sayd  
debt with Cost and Charge of Suit

Whearupon the Plantiue put himself upon the proue of his bill  
beeing thearunto urged by the Defendant and humbly Request that  
Georg harris might haue his oath giuen him which was granted

George Harris Sworne and Examined in open Court sayeth that  
hee saw a bill of four hundered pounds of tobacco or thearabouts past  
from Jheromy frost to Doc<sup>tr</sup> John Lumbrozo to the which hee and  
Mr Lugar wear witnesses and further sayeth not

Whearupon the Plantiue desired that John boyden might haue his  
oath giuen him which was granted

John boyden sworne and examined in open Court sayeth that hee  
demanded of the defendant the valew of one thowsand pounds of  
tobacco for the Plantiue and the defendant answered him that the  
tobaco was not Ready but when it was hee shoold haue it and fur-  
ther sayeth that the Plantiue profered him bills to receaue it by and  
further sayeth not

Whearupon the defendant alleageth that singularis testis non est  
testis and that allso not taken out according to the act of Assembly  
Prouided in that behalfe for the entri of warrants and thearfor  
Craueth a nonsuit: It is thearfor ordered that the Plantiue shall bee [p. 504]  
nonsuited and pay the Cost and Charge of suit: