

Liber FF life time to the defend^t sold and deliuered amounting to the Sume of Seauenteen pounds Two shillings and two pence Ste^r mony att the rate of one penny p̄ pound in to^b is Fowre thowsand One hundred and Six pounds of tobacco

And the said William by John Morecroft his Attorney Cometh and defendeth the force and injury when &^c: and for plea saith that the said Thomas his ac^on against him ought not to haue for he saith that at the time in th^e declara^on men^oned the said William did not assume and promise to pay to the said Thomas Freeman in his life time the said su^me in such manner & forme as in the said declara^on is alleadged and of this hee prayeth Judgm^t of the Court if the said Thomas his ac^on ag^t him out to haue &^c: John Morecroft

The p^lt for Euidence produceth the said Thomas Freemans Wast book of Accompts wherein was incerted the perticulers Charg^d to th^e defend^t

The defend^t denyeth that that is sufficient Euidence to proue the defend^{ts} Assumption being no book of Acc^t for debito^r and Cred^r

The p^lt desires the Judgm^t of the Court wether or no a merchants or shop keepers Blotter be not sufficient Euidence ag^t the Debt^r according to the statute of England

The Opinion of the Court is, that Considering the said Thomas Freeman, deceased before hee had time to post his books, his Blotter is good Euidence ag^t the Debt^r

Wherefore Judgm^t past ag^t the defend^t for the abouesaid Su^me of Fowre Thowsand One hundred and Six pounds of tobacco to bee by the said defend^t paid to the plaintiffe as Adm^r of the said Thomas Freeman

Henry Hosier John Staynes and Richard Attkins Came into Court and preferr^d there bills of Cost against Thomas Cooper th^e Adm^r of Thomas Freeman in there suites depending this Court upon which they recouered ag^st the said Adm^r, But the said Coopers Attorney alleadging they had exceeded in there demands Contrary to th^e Ord^r of Court wherefore Ordered they be allowed noe Cost ag^t the s^d Adm^r except Clerks fees

[p. 680] Mark Cordea plaintiffe } Morecroft p̄ quer^r }
 John Powick defendant }

The p^lt sues th^e defend^t in a plea of tresspass upon the Case for Twelue hundred pounds of to^b:

The sherriff of Caluert County returns his writt Non Est Inuentus—Whereupon th^e p^lt Craues an Attachm^t ag^st the Estate of the defend^t w^{ch} is granted