

Liber M M enty till the said ninth day of March One thousand six hundred seventy three a particular whereof is hereunto annexed amounting in the whole to the summe of foure thousand five hundred eighty
 p. 626 three pounds of tobacco he the Said Marke did in consideration thereof assume upon himselfe & to the Said Evan did faithfully promise that he the said Marke the said Summe of foure thousand five hundred eighty three pounds of tobacco to him the said Evan when he should be thereunto required well & truly would satisf[ie] and pay but the said Mark his Promise aforesaid not regarding the said Summe of foure thousand five hundred eighty three pounds of tobacco to him the said Evan though thereunto requested hath not paid or Satisfied but the same to pay doth deny & refuse to the damage of the said Evan Six thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said Mark by Kenelm Cheseldyn his Attorney cometh and defendeth the force & injury when &c and prayeth liberty to im-parle here untill next Court & it is granted him the same day is given to both parties here.

Now here at this day to wit the five & twentieth day of November in the 44th yeare of the Dominion of Caecilius &c came the said Evan by his Attorney aforesaid & the said Marke by his Attorney came likewise and the said Marke Saith that he did not promise and assume upon himselfe in manner & forme as the said Evan hath above declared against him and of this he putts himselfe upon the Country and the plaintiff likewise Therefore it is comanded the Sheriff that he cause to come here twelve &c.

At which said five & twentieth day of November in the yeare aforesaid came the parties aforesaid & the jurors of that jury came likewise to wit John Gittings W^m Thomas Arthur Wright Peter Watts Jn^o Tant Richard Meekins W^m Hemsley Raymond Stapelfort John Brookes John Hollins Henry Turner & Henry Exon who being impannelled summoned & Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff due upon his accompt three thousand eight hundred eighty three pounds of tobacco and the bill to be delivered to the said Carew againe therefore it is considered by the Court here that the said Evan recover against the said Marke the summe of three thousand eight hundred eighty three pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of One thousand seven[ty] One for his costs & charges in this behalfe laid Out & expended

To M^r Kenelm Cheseldyn one of the Attornyes of the Provinciaall Court.

These are to desire you to appeare for me in two suites comenced against me by Evan Carew upon actions of the case & to plead to the same confess judgm^t or let judgm^t passe by default inhil dicit or as in your discretion you thinke best & convenient & for your so