

amounting to the summe of five thousand five hundred & ninty three pounds of tobacco a particular whereof is here in Court produced In consideration whereof the said John & Edmond did then & there assume upon themselves and to the said Mathew did faithfully promise that they the said John and Edmond when thereunto required the said summe of five thousand five hundred ninty three pounds of tobacco unto the said Mathew would well & truly content & pay Nevertheless the said John and Edmond their promise & assumption in that behalfe not regarding but plotting & fraudulently contriveing him the said Mathew of the said summe of five thousand five hundred ninty three pounds of tobacco to deceive the same summe of five thousand five hundred ninty three pounds of tobacco though often thereunto required unto the said Mathew have not paid nor either of them hath but the same to pay altogether deny Whereupon the said Mathew Nelson saith he is dampnified and hath losse to the value of Eight thousand pounds of tobacco & thereupon he bringeth his suite.

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And the said John and Edmond by John Jones their Attorney come & defend the force and injury when &c and pray liberty to imparle hereunto untill the next Court and it is granted them the same day is given to the said Mathew.

Now here at this day to wit the eighth day of October Anno One thousand six hundred Seventy Seaven came the said Mathew Nelson by his said Attorney and offered himselfe against the said John Cane & Edmond Denis in the plea aforesaid but the said John & Edmond came not but made default, and the said Mathew Nelson haveing produced the said accompt here into Court and it appeareing upon Oath taken before the Hon^{ble} the Governour that there remaineth due to the Said Mathew upon the ballance of the said accompt the summe of three thousand Seventy two pounds of tobacco Whereupon it is granted by the Court here That the Said Mathew Nelson recover against the said John Cane and Edmond Denis the said summe of three thousand Seventy two pounds of tobacco damages occasioned by the trespas aforesaid as also the summe of seven hundred & ninte[en?] pounds of tobacco costs of suite & the Said John & Edmond in mercy &c.

Mathew Nelson } George Godfrey late of Charles County was at-
 ag^t } tached to answer unto Mathew Nelson in a plea of
 George Godfry } trespas upon the case

And whereupon the said Mathew Nelson by Christopher Rousby his Attorney complaineth that whereas the said George Godfrey the ninth day of December One thousand six hundred Seventy Six in Charles County aforesaid Stood indebted unto him the said Mathew for divers goods and merchandize by the Said Mathew to the said George Sold & delivered a particular whereof is