

Liber W. C. Jones Sen^r or Richard Jones Jun^r And that cannot be holpen or amendment made by Averment Intendment or arguement but all Originalls ought to be certaine and the Defend^t not bound to answer any other or more matter then is Contained in the writ

(Secondly.) There is Erro^r and Variance between the writ and Declaration ffor the writt is to Sumons Griffith Jones and the Declaration is Griffith Jones gent^l One of the Attorneys of the Court was Sumoned to answer Richard Jones w^{ch} cannot in law be taken for one and the Same person

(Thirdly.) Itt is sayd Griffith Jones was Sumoned to answer unto Richard Jones in a plea that he Render unto him divers goods and Marchandizes w^{ch} to him he oweth and unjustly detaineth w^{ch} is debt and must be und^r hand and seale by bill by him the said Griffith Executed Whereas in the Declaracon he Declares upon a promise and therefore ought to have Declared in an action upon the Case.

(ffourthly) Itt is said in the writt Sumons Griffith Jones to answer Richard Jones in a plea of Trespasse upon the Case And saith in the Declaracon Griffith Jones gent^l one of the Attorneys of this Court was Sumoned to answer Richard Jones of a plea that he rend^r to the Said Richard divers Divers goods and Marchandizes w^{ch} to him he oweth and injustly detaineth, w^{ch} is not warranted by his writ Upon wch his Declaration Ought to be grounded

(ffifthly) There is noe Demand Layd and averred wthout wch there could be, Nor had there bin any Cause of action w^{ch} is Erro^r and Contrary to the law in such Cases made and Provided, All w^{ch} he is ready to averr and therefore Demands Judgment of the said Declaracon and if the aforesaid Richard his said accon against him this Defendant can maintaine

Jones:

Itt is Considered by the Court that the Plea in Abatement and Demurrer be over Ruled And have Ordered that Griffith Jones pay unto Richard Jones Eight hundred pounds of tobacco with Costs of Suite.

The Deft Griffith Jones Craves an Appeale the next Provinciall Court wch is granted he giveing Security as in the Law in that case is provided

Security given in Court
Vera Cop^r p Thomas Impey Clke

p. 627 And the said Richard Jones by Thomas Burford his Attorney cometh and defendeth the force and Injury when &c and prayeth liberty to Imparle hereunto untill next Prov^{all} Court and Itt is granted unto him the Same day is given to the said Griffith Jones likewise