

The same day Comm: at above

Edward Eastall p^t
John Ellis def^t

Somerset H. J. S^r John Ellis of Somerset Count was
Summoned to answer unto Edward Eastall
in Action of Trespass upon the Cas: of

And whereupon the said Edward for himselfe saith that in
the month of November last being in company at the
house of John Lillyard with the def^t John Ellis speaking
then to take away the wife that I had then at morning
The def^t John Ellis said that for Abigail of Indian came
in care (wth was presently paid & delivered to the def^t by
the p^t) he the said John Ellis engaged and did warrant
the said wife until after she had calved and engaged
after she had calved promising further to bring word and
assist her home to the house of the s^r Lillyard safe & sound
for the consideration aforesaid, the wife dying in the
def^t custody, the p^t is damaged and hath sustained
to the value of six hundred pounds of tobacco & cash and
thereupon brings his suit as

And the def^t John Ellis commeth & defendeth
himselfe & saith that the s^r Edward Eastall his
Anon he ought not to have for he did not engage
to bring the wife home after she had calved
& prayed the Co^{rt} to make inquire & refer
himselfe to the wth Co^{rt};

John Lillyard & Mary his wife
were sworn on the behalf of the p^t in
the: which on the behalf of the def^t in Co^{rt}
D. 11