

The same day Comm^d as above

James Cerill pl^t
vers
John Hilliard def^t
In an anon upon
the Cas^e

James Cerill pl^t appeared desiring that his declaration
may be read saying that he def^t had absented himself
from Justice the writ being returned by the sheriff
next day

The Complaint of James Cerill against John
Hilliard in an anon upon the Cas^e

Humbly sheweth

That one George Eaves deceased became indebted unto the above
said Cerill the summe of one thousand pounds of good sound
merchantable tobacco in Cas^e as by his Obligation under his hand
and seal doth more at large appeare bearing date the 30th day
of October 1671 which tobacco was to be paid upon demand
at the dwelling house of John Kemp where the abovesaid
Cerill keeps his store; The abovesaid Hilliard did promise
to pay the abovesaid summe according to the said George Eaves
his Obligation unto the abovesaid Cerill as well before the
decease of the said George Eaves as after same which your
Complainant can here prove in open Court; notwithstanding
the said Hilliard hath disposed of the estate of the abovesaid
George Eaves contrary to Law for the said Hilliard not having
the deceaseds last will and testament nor hath taken out his
Letters of administration only to defraude the Creditors of
the deceased; The abovesaid Cerill having demanded the
abovesaid summe of the abovesaid Hilliard in manner to
his word and good continuance for the said Hilliard doth refuse
to pay the same to the Complainant Dammdge five hundred
pounds of the like tobacco all which debt and Dammdge the said
Cerill craves Judgment of the Court with Cost of suite