

Law against such their debits: without any demand of such their debts, of their said debts: whereby their said debts is much increased and the said debts thereby greatly burthened & impoverished by means of such their voracious & unchristianlike Sutes at Law &c. Wherefore it was enacted by the Lord prop^y of the said Province that from and after the 20th day of September next next person what soever his Executor or Adm^r: living or traveling into this Province shall for any debt due or owing to him by Acc^t: upon Bonds or otherwise: & for which the Debtor hath not passed his hand & Seal to such his Creditor: shall sue or implead at Law such Debtor for any such debt contracted as aforesaid: & not under hand and Seal of such Debtor: as aforesaid: but if he shall first demand & require the same of the said Debtor in the County where he shall inhabit if at his plantation & if not then by leaving a Note under the hand of such Creditor: or then he shall improve to receive the same to be not accordingly paid then it shall and may be lawful for the said Creditor to sue & implead such his Debtor for the said debt: and recover against him all such Costs & Damages as upon Oath & Oath in any Court of the Province shall be adjudged against him & in case any person shall sue or implead any such his Debtor: as aforesaid: contrary to this Act he shall pay all his Costs of such his Suite & be liable to satisfy his Debtor all such Damages as shall be accrued unto the said Debtor: by such his voracious & unchristianlike Sutes at Law: all which the above said Wm. Anderson hath not done therefore the above said Judgment of the Court if the above said Wm. Anderson his Acc^t: against him ought to stand or not &c.

Now here at this day (to wit) the 10th day of August as aforesaid James Langster Attorney to the above said Wm. Anderson pl^t: & also Symon Berkme' sen. Def^t: Cause And both parties by mutual Consent having putt themselves to the Judgment of the Court Whereupon it is foundered by the Court here that the said Wm. Anderson recover against the said Symon Berkme' sen. the sum of one pound four shillings & six pence ster^l: with Costs And the Def^t: in Mercy &c.

The same day Court as aforesaid
 Thomas Jones pl^t:
 ag^t: Peter Whaples Def^t:
 Cause in Equity for
 Jones in ap^l: of Debt =

And the said Thomas Jones by his Attorney Edward Jones saith that upon the 3rd day of September in the year 1686 then the said Peter Whaples did bind himself his heirs & assigns ad^o: to pay unto the said Thomas the sum of Nine hundred pounds of Tobacco as doth appear by a certain Writing under the hand & Seal of the said Peter Whaples there in Court produced but the said Peter little regarding his promise & assumption but fraudulently intending the pl^t: to deceive in the sum of Nine hundred pounds of Tobacco: although of ten thereunto required Whereupon the pl^t: saith that he is damaged & hath lost to the value of 1900^l: of Tob^o: & thereupon brings his Suit pp^t: Edward Jones And the said Peter Whaples by Thomas Jones his Attorney saith & defendeth that force & injury & by the pl^t: he moves the Consideration whereupon the bill was produced & Whereas Thomas Jones pl^t: had an Action of Trespass upon the case against Peter Whaples Def^t: in S^u:sett County Court the proceedings mentioned on the other half sheet of paper under the Court name after the Oath had the 11th day of Novemb^r: 1685 against which proceeding Thomas Jones appealed to the Justices of the provincial Court which was granted by the Justices in S^u:sett County Court after which an Agreement was made that each one should bear their own Charges at Law & that Peter Whaples should pay the said