

The particulars on the other side folio 122. appraised that Martz 19th to the value of Eight thousand six hundred and sixty five pounds of tobacco for the use of M^r Francis Goubrin by virtue of a certain Bill of attachment bearing date the 17th Instant last by us

John: I. T. Townsend. Rowland Berrin. his marks.

This indent was upon the oath of the Jurors. John: I. T. Townsend and M^r Rowland Berrin was sworn appraisers of the goods and Chattels of George Freeman late of Somerset County in the County aforesaid before us.

E. mund: Howard.

No garnishee appearing being legally summoned and called in Court to show Cause why Execution should not be awarded agt. the goods Chattels & Debts and Credits of the sd. George Freeman to and for the use of the sd. Goubrin, therefore the Court Orders Execution agt. sd. Freeman &c.

Then was this following Bill produced in Court viz.

~~John: I. T. Townsend~~ M^r. Color: Bodden.

Pay unto M^r George Layfield or his ORDER the sum of two thousand five hundred and eighty five pounds of good tobacco at Roberts Town and in so doing you will oblige your friend and humble servant to Command

Charles: Lewis.

Martz 15. 1688.

This above sd. note of 2585 pounds of tobacco in Open Court is protested for want of effect (as he says) viz. Color: Bodden. Signed M^r John: West. Dep^t. Cl^k. in Court Somerset June 13th. 1690

Spec. Copy returned to M^r George Layfield p^r M^r Bodden

M^r. Color: Bodden made Oath in Open Court to a Deposition, between Colman & G^r. B. which sd. Deposition was signed M^r Dep^t. Cl^k. Court. but taken and kept M^r Color: Bodden.

Thomas: Millman. Pet. agt. James: Barry. Def^t

Somerset County & Gauch: Barry Counsel late of this County was attached to answer unto Thomas: Millman in a plea of trespass on the Case &c.

And whereupon the pet. by his attorney Gauch: Barry Counsel Com^r and says that to the said Gauch in the year of our Lord 1688 became indebted unto the pet. the full and just sum of three thousand two hundred twenty six pounds of tobacco as by account here in Court produced, as will in Court more plainly appear the which account the defendant did faithfully promise to pay unto the pet. but to the Gauch's fraudulently inducing the pet. to receive of the sum aforesaid of 3276 pounds of tobacco, doth deny to pay the same although of law thereunto required by the pet. whereupon saith he is damaged and kept damages to the value of 5000^l of tobacco, and thereupon brings his Bill

Gauch: Barry. John: Col. Dep^t. Cl^k. R^o: Col.

Conclusion being read both parties by mutual consent having joyed Issues, and referred the matter