

of lib<sup>ty</sup> tobacco and thereupon brings this suite.

Jan<sup>y</sup>. 11<sup>th</sup>. 1691

Francis. Gou<sup>er</sup> and the Lord of Somers<sup>et</sup>. Cooper. etc. etc. King. etc. etc. by Edward Gou<sup>er</sup> his attorney  
com<sup>er</sup> and defend<sup>er</sup> the fort and injury when and where, and saith that the d<sup>ef</sup>t, did not employ the said  
Samuel. Cooper. to survey any land for the d<sup>ef</sup>t, and thereupon puts himself upon the Court.

Your att<sup>or</sup>. for surveying - - - - - J<sup>es</sup>. Sangster.  
of your acc<sup>ts</sup>. and of Land Com<sup>rs</sup> to 230. lib<sup>ty</sup>. which I would have you pay m<sup>r</sup> Francis. Gou<sup>er</sup> who  
will shall discharge you from. Your friend  
Sam. Cooper.  
may the 26. 1684.

The whole proceedings being left to the judgment of this Court. do find it for the p<sup>l</sup> -  
according to Declaration. and and and and and and  
John. Mead for m<sup>an</sup> s<sup>er</sup>. for d<sup>ef</sup>t.

Stephen. H<sup>er</sup>ry was at the above<sup>d</sup> tryall of Gou<sup>er</sup> and the  
and was sworn Justice of the Peace for this County.

Matthew. Scarborough Esq<sup>r</sup> Com<sup>er</sup> of this County  
Ellis. Cleman. Esq<sup>r</sup> Def<sup>er</sup>nt  
of trespass upon the Cas<sup>es</sup>. etc.  
and whereupon the said Matthew by Esq<sup>r</sup>. Gou<sup>er</sup> his attorney  
Complains that whereas the sd Ellis the 30. day of June in the year

of m<sup>er</sup> 1689. at Snow Hill within the Jurisdiction of this Court was indebted to the said Matthew in the sum  
of four hundred and twenty pounds of Cork, for sundry goods and merchandizes, by the said Matthew to the sd  
Ellis sold and delivered, as by a particular account thereof here in Court ready to be produced may appear, and the sd  
Ellis to the said Matthew in manner afores<sup>d</sup> being indebted, did assume upon him self, and to the sd Matthew then  
and there faithfully promise that he the sd Ellis the sd 420. pounds of Cork, when he should be accounted for  
would well and truly content and pay. Now the sd Ellis his promise & Assumption afores<sup>d</sup> not regarding but  
mind<sup>ing</sup> & fraudulently inducing him the sd Matthew in this behalf to deliver and defraud the sd sum of 420  
pounds of Cork to the said Matthew hath not paid although often demanded, but hath utterly refused and doth  
still refuse to the damage of the said Matthew of 1000. pounds of tobacco, and thereof brings this suit to

Esq<sup>r</sup> of the Court. Esq<sup>r</sup> etc. J<sup>es</sup>. Gou<sup>er</sup>  
King. etc.

Accounte to be for audited and returned due to the p<sup>l</sup> saith the d<sup>ef</sup>t, and desires that it may be required  
of by the Court. J<sup>es</sup>. Gou<sup>er</sup>.  
and the p<sup>l</sup> saith it was never lawfully audited & put himself upon the Court also. But

It was this following acc<sup>ts</sup> produced. Ellis Cleman. Esq<sup>r</sup>.  
Co 6. gall. Rum. — — — 240  
Co 6. gall. Molasses. — — — 120  
Co 10 lb. Sugar. — — — 060  
440  
Only Error excepted  
# Matthew. Scarborough.

Esq<sup>r</sup>.