

June 12<sup>th</sup> 1691

Demanded pounds of tobacco by the doft in dobling & keeping the p<sup>l</sup>ts servant from him, whereupon the p<sup>l</sup>ts brought his suits, and praye that judgement may be subd<sup>d</sup> accordingly

The Declaration being read, but the sd Straubridge not having signed it, the doft was a non suit. Order the sd Straubridge pay Cost of Suits. after which the sd Straubridge had leave to move or sign the Declaration, and then the tryall did proceed - Plea ad Follow<sup>er</sup> (viz) the doft by James Sangster his Attorney, doctored the fact and injury, and saith that the p<sup>l</sup>ts complain<sup>ts</sup> that the servant was in Exchange did not take the othe, which is an act of God and a libelous doct<sup>r</sup> of the p<sup>l</sup>ts. for an act of God injures no man. according to the maxim in Law, actus dei nulli facit injuriam. and that the doft desires may be inquired of by the Country Ja. Sangster. In Straubridge.

Issue being joyned and the matter referred to the Country for tryall. Therefore Command was given to the Sheriff to bring into Court twelve good and lawfull men of this County that the matter might be the better understood. whereupon came the sd John Straubridge and the sd Edward Jones, and likewise the Jurors of that Jury, who were legally impeached, returned and duly sworn upon the holy Evangelists, who having heard the doct<sup>r</sup> Declaration, Plea, and also the Oath of the sd Jurors, were examined -

Edmund Mumbrell }  
Mary Maxwell } Evid for p<sup>l</sup>ts sw  
Lawrence Crawford }  
Bryan Coughlin } Evid for doft sw  
John Brown }  
Sarah Sherman }  
id. fo. 126. }  
The Jurors in this respect were: John Mumbrell, John Maxwell, Lawrence Crawford, Bryan Coughlin, John Brown, Sarah Sherman, id. fo. 126.

for which verdict being subd<sup>d</sup> ad a forso the p<sup>l</sup>ts viz John Straubridge, made an appeal, which by this Court was granted. and soon after the sd Straubridge came and requested this Court that he might relinquish his appeal, which by their words was granted. Order given for the Jurors fees for swearing to Jury

Edmund Beauchamp p<sup>l</sup>ts }  
Thomas Cull doft }  
And whereupon the p<sup>l</sup>ts by his Attorney James Sangster moved and sayd that the said doft is become bound and stand indebted unto the p<sup>l</sup>ts ad Assignee of the said Straubridge. In summe in the full and just summe of two hundred pounds of good sound Mortall tobacco in Cash ad doct<sup>r</sup> and may appear by a Britani Bond Obligatory under the hand and seal of the said doft, bearing date the 13<sup>th</sup> day of 7<sup>th</sup> Ber. the 16<sup>th</sup> Dec<sup>r</sup> 1688. The Condition of which is such that whereas John Anderson of this County Sawyer was attached to answer unto the p<sup>l</sup>ts in an action upon the said Bond, and the doft by the sd Bond, did Oblige himself his Heirs, Exors and Adors, that the sd Anderson, should make his personall appearance at the County Court the 1<sup>st</sup> of November ensuing the date of the sd Obligation, now the p<sup>l</sup>ts moved and sayd that the sd Anderson, either by himself or his Attorney, did not appear according to the Condition of the sd Bond, but fraudulently and craftily intending to dovoid the p<sup>l</sup>ts of the just due to the p<sup>l</sup>ts by reason of the breach of the sd Condition, as if the same had no Condition and thereupon bring this suite. Sangster & Quod Clerks of p<sup>l</sup>ts. In: Cull }  
Evid. }  
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