

June 4. 12. 1691

Thomas Miller: Debt
Robert: Miller: Debt

Somerset County Mr. Robert: Miller of this County was attached to answer unto Thomas: Cull. in a plea of debt.

And was upon the plea by Edward Jones his Attorney found and says that the debt upon the 24 day of February in the year of our Lord 1687. then Thomas indebted unto the plea to maul the just quantity of three hundred logs good and sufficient for forney, as doth more plainly appear, by a certain writing under the hand of the debt, and this in Court produced but the debt litle regarding his promise and assumption but fraudulently intending the plea to describe in the sum of 900: good sufficient logs. although often thousands required, but hath denyed to pay, and still doth deny — whereupon the plea saith he is damnified and hath left: to the value of six hundred of the like logs and thereupon bringeth his suit & Jud. — Edward: Jones. —

The debt. by James: Saunders his Attorney Comd and do found the forte and injury (and saith) and saith y^e debt had no Consideration for the sd Bill, but was voluntarily purchased by y^e plea threatening to sue him: pretending that he had Order to sue him for a foreign debt contracted in America and when the debt had hired a man to maul the sd logs, he sd it was not worth the while, and freely forgave the debt. but since he hath wrongfully sued the debt. who never denyed to maul them, when called and call off and thus the defend: pleads in barr. Ja: Ja.

Here followeth the Millers Bill (copy)

This Bill bindeth me Robert: Miller of Somerset County my Heirs, Exors. or Adm. to maul. three hundred four Loggs for Thomas: Cull. upon his Plantation at or upon the 10. day of February next ensuing the date hereof as witness my hand this 24. day of February An^o 1687

Thos: Pools.
William: M^l Pool.

Robert: R: Miller. Seal

The whole proceeding being left to the Consideration of this Court to determine, whether they would do the premises or also the Case of James: Smith. do or not a New Suit agt the plea.

The deposition of William: Steel. Esq. sheweth that he hath allowed twelve days, as an Evidence upon the Controversie betwixt Thomas: Cull & Robert: Miller, being summoned upon the oath of Thomas: Cull. Sworn before us: James: Round. John: King.

Edward: St. Johner testify before me and made: Oath that he hath attended six days as an Evidence between August: Richardson and James: Breshaw. being summoned by the Oath of James: Breshaw. Sworn in Open Court before. Sam^l: Hopkins.

Majo Ambrose London ad in folio 86: being committed into the Sheriff Custody. Comd this day and bringeth his security Thomas: Riggan. And the sd Ambrose did acknowledge y^e recognizance to be made to the said Majo in y^e sum of 10. and y^e sd Thomas: Riggan in 5. sterl mensur to be paid on the 10. good day. The Condition of which recognizance is that the sd Majo be of the good behavior: during such places. the sd Ambrose did also in Court