

Dea.

And the defl saith that the plt did not bring to the defl the full quantity of lard within the time of 4 weeks mentioned Obligation, and thereupon puts himself upon the Court. Edward: Jones.

And the plt maintains y^e declaration and saith that the defl hath not complied with y^e condition of y^e Bond. Ja: Sa.

There was this following Bond produced viz:

I James Smith of Somerset County Comor. for and in consideration of a Cow and calf now this day of Cap: Wm: Culborus of the County aforesd do at Newbold my self my Heirs Exors and Adors to our and stand indebted unto the sd Wm: Culborus aforesd the full and just sum or quantity of twelve hundred pound of good sound merchantable tobacco and Caffe to be pd Culborus truly in the said County of Somerset to him the sd Cap: Culborus, his Heirs Exors or Certain Attornys for the true performance whereof I bind me my Heirs Exors & Adors. Signed with my hand and sealed with my seal. Dated this twentieth day of February Anno 7^{mo} 1688.

[Handwritten signature]

The condition of this Obligation is such that if the above bounden James Smith do well truly and faithfully come for the above named Cap: William: Culborus, twelve hundred of silver Cull or Cow lard and horse shoe stib, at or before one year to expire to be accomplished from the date hereof well & sufficiently to wit that then this Obligation to stand void and of none effect, otherwise to stand in full force power and virtue.

Signed sealed and delivered in the presence of us.

James Smith. Seal.

Edmund Brautrampe
John: Burt
marks.

The aforesd proceedings being left to y^e judgment of the Court, who found no cause of action agt the defl.

Layn: Milborne. Plt
Contra
John: Kellam: Defl

The plt and defl being three times called, the plt not appearing by him self or attorney. Ordered no declaration filed. This Court Orders a non suit agt y^e plt.

Thomas: Roberts: Plt.
Contra:
William: Browne: Defl

I Somerset County fr. Wm: Browne of the Court was attached to answer unto Charles: Roberts of the same County Plaintiff in an action upon y^e Bond. And whereupon the plt by James: Saunders his attorney moved and saith that the defl is bound and stand indebted unto the plt in the full and just sum of Eight hundred pound of good sound merchantable tobacco in Caffe at defl and may appear by account hereunto annexed, which sum the sd defl did faithfully to him self admit, and to the plt promise to pay when the same required. But the sd defl. Wm: Browne fraudulently and craftily intending to deceive the plt of the sd sum of Eight hundred pound of tobacco, hath hitherto denyed, and yet doth deny to the plt great loss and damage to the value of

account hereunto annexed, which sum the sd defl did faithfully to him self admit, and to the plt promise to pay when the same required. But the sd defl. Wm: Browne fraudulently and craftily intending to deceive the plt of the sd sum of Eight hundred pound of tobacco, hath hitherto denyed, and yet doth deny to the plt great loss and damage to the value of