

was Sumoned to Answer unto Francis Bullarye of a plea that he Render unto him the full and Just Sume of four hundred pounds of good Sound Marchantable leafe tobaccoe in Caske which to him he oweth and unjustly deteyneth etc.

And whereupon the Said Francis by Cleborn Lomax his Attorney Sayth that the Said William the 24th day of July in the yeare of our Lord 1696 at Nanjemy in Charles County that is to Say at Charles Towne within the Jurisdiction of this Court by his Certaine bill Obligatory which the Said Francis with the Seale of the Said William Signed bringeth here into Court the date whereof is the day and yeare aforesaid Acknowledged himselfe to be holden and firmly bound unto the Said Francis in the full and Just Sume of four hundred pounds of good Sound Marchantable tobaccoe in Caske to be paid to the Said Francis at or upon the tenth day of October next Ensueing the date of the Said bill Obligatory to the which payment well and truly to be made and done the Said William bound himselfe firmly by the Said bill Obligatory Nevertheless the Said William the Said Sume of 400 lbs. of tobaccoe in Caske Although often Required the Same to the Said Francis hath not Rendered but the Same to Render hath hitherto denyed and Still doth denye to the Damage of the Said Francis of 800 lbs. of tobaccoe and thereupon he brings his Suite etc.

Cleborn Lomax. Pledges etc. John Doe, Richard Roe.

And the Said William Coghell by William Stone his Attorney Cometh and Defendeth the force and Injury when etc. And prayeth Leave thereof to Imparle here untill the next Court and it is granted unto him the Same day is given to the plantiffe Alsoe.

Att which Said next Court Came the aforesaid parties by there Attorneys aforesaid And the Said Francis Bullarye prayeth that the Said William Coghell to his declaration aforesaid may Answer etc. And now here at this day (to witt) the 22d day of June Annoque Domini 1697. Came the Said William Coghell and defendeth the force and Injury when etc. by William Stone his Attorney And Saith that hee is not informed by the Said William Coghell his Clyent of any Answer for the Said William Coghell in the plea aforesaid to be given and nothing more thereof Saith by which the Said Francis Bullarye Remaineth against the Said William Coghell thereof undefended etc.

Therefore it is Considered that the Said Francis Bullarye Recover against the Said William Coghell the Same Sume of four hundred pounds of tobaccoe his Debt aforesaid And his Damages by occation of Deteyning the Said Debt to two hundred Seaventy one [184] Pounds of tobaccoe to the Said Francis Bullarye of his Assent by the Court here Adjudged etc. and the Said William Coghell in mercy etc.

The aforesaid Judgement was Entered with Stay of Execution untill the tenth day of November next etc.

Then Did the Court Adjurne untill to morrow morning 8 Clock.

Present. Mr. Thomas Hollyday, Mr. William Barton, Mr. Robert Tylor, Mr. John Hawkins, Mr. Robert Wade, Mr. Thomas Sprigg, Comisoners.

Mr. Samuell Magruder haveing tooke the oat[h]s Appointed by Act of Parlyment as alsoe the oath of a Justice of peace tooke his place and Satt with the Rest of the Justices.