

for the Sume of 29 pounds Sterling in the Same bill mentioned whereupon the Said Micajah Perry Answered for himselfe and Company that they would not pay the Said bill for want of Effects upon which the Said Peter Afterwards and within the aforesaid twenty dayes (to witt) upon the aforesaid 27th day of December 1695 According to the use of Merchants At London aforesaid did Protest the Said bill for not Acceptance thereof by the Said Micajah Perry and Company And further he the Said Peter Paggen Saith that the aforesaid Micajah Perry and Company or either of them in the End of the aforesaid twenty dayes the Said twenty nine pounds Sterling to him the Said Peter Paggen or to any other person for his use did not pay or in any manner for the Same give Content Yet Nevertheless the Said James Ford his promise and Assumption Soe as aforesaid made not at all Regarding but Contriveing him the Said Peter Paggen in this behalfe to deceive and defraud the Said James the Said 29 pounds Sterling or any part thereof to the Said Peter hath not paid Although upon the 11th day of Aprill 1697 at Charles Towne and at divers other times was thereunto Required but the Same to pay hath denied and Still doth denye by meanes whereof he the Said Peter Paggen the whole profitte gaine and Advantage which he with the aforesaid twenty nine pounds Sterling by Lawfull buying and bargaining [211] Might have had and gained hath now totally Lost and is wholly Deprived of whereupon he the Said Peter Saith hee is the worse and hath damage to the vallue of forty nine pounds Sterling and thereupon he brings his Suite.

William Stone. Pledges etc. John Doe, Richard Roe.

And the Said James Ford by John Meriton his Attorney Cometh and Defendeth the force and Injury when etc. And prayeth Lycence thereof to Imparle here untill the next Court and it is granted unto him the Same day is given to the plantife Alsoe.

Att which Said next Court (to witt) the 24th day of August Annoque Domini 1697 Came here as well the Said Peter Paggen as the Said James Ford by their Attorneys aforesaid and the Said Peter Paggen prayeth that the Said James Ford to his Decleration aforesaid may Answer etc.

And the Said James Ford his Attorney Comes and defends the force and Injury when etc. And Craves Oyer of the bill of Exchang and the protest etc. which was Read unto him etc. And the Said James Ford by John Meriton his Attorney further Cometh and defendeth the force and Injury when etc. And Saith that he is not Informed by the Said James Ford his Clyant of any Answer for the Said James Ford in the plea aforesaid to be given And nothing more thereof Saith by which the Said Peter Paggen Remaineth against the Said James Ford thereof undefended etc.

Therefore it is Considered that the Said Peter Paggen Recover against the Said James Ford the Sume of twenty nine pounds Sterling his Debt due for Damages upon the protested bill of Exchange aforesaid together with the Sume of five pounds Sixteen Shillings Sterling the Damages upon the above protested bill of Exchainge at twenty pounds Sterling per Centum as alsoe the Sume of five hundred and Eighty pounds of tobaccoe to the Said Peter Paggen at his Request for his Ordinary Costs and Charges in this behalfe Sustained in the whole Amounting to the Sume of thirty four pounds Sixteen Shillings Sterling and five hundred and Eighty pounds of tobaccoe According to Act of Assembly in Such Cases made and provided etc. And by the Court here Adjudged etc. And the Said James Foord in mercy etc.

William Cutler Servant to Robert Orme was Adjudged by this Court to Serve