

the damage of the Said Edward of 800 lbs. of tobaccoe and thereupon he brings this Suite etc.

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

The Said plantiffe by his Attorney aforesaid haveing Issued out a writt against the Defendant and Likewise have Caused a Coppy of the Declaration by the Sheriffe Left with the Defendant at the time of Serving the Said writt which was Eight dayes before this Court Whereupon the Said plantiffe prayeth that the Said Defendant to his Decleration aforesaid this Court may Answer According to Act of Assembly in Such Cases made and provided etc.

And the Said Defendant by John Meriton his Attorney Cometh and Defendeth the force and Injury when etc. and for plea Saith that the plantiffe his Action against him to have and maintaine ought not for that the Said Defendant never did pass any Such bill or ever had any dealings with Edward Kinton as the plantiffe in his Decleration aforesaid hath Sett forth or did ever know any Such person for which insufficiency the Declaration is altogether insufficient to maintaine the Same etc. wherefore prays Judgment of this Court if the plantiffe his Judgment against him to have and maintaine ought but that the Same may Abate.

Meriton for the Defendant.

The truth of the matter in Controversie by the Court here between the parties aforesaid being Seen heard understood and Maturely Deliberated It is thereupon Considered that the Said Edward Kinton Recover against the Said James Wapple the Sume of four hundred pounds of tobaccoe his Debt aforesaid And his Damages by Occation of Deteyning of the Said Debt two hundred pounds of tobaccoe to the Said Edward Kinton of his Assent by the Court here Adjudged And the Said James Wapple in mercy etc.

James Brooke plantiffe: Charles Tracey Defendant

Prince Georges County Ss. Charles Tracey Late of Prince Georges County otherwise Called Charles Tracey of Prince Georges County Inholder was Sumoned to Answer unto James Brooke of a plea that he Render unto him the full and Just Sume of four thowsand Six hundred and Sixty pounds of good Sound Merchantable Leafe tobaccoe in Caske which to him he oweth and unjustly Deteyneth etc.

And Whereupon the Said James by William Stone his attorney Saith that whereas the Said Charles the 28th day of June Annoque Domini 1697 att Charles Towne within the Jurisdiction of this Court by his Certaine bill Obligatory which the Said James with the Seale of the Said Charles Signed bringeth here into Court the date whereof is the day and yeare aforesaid Did bind himselfe his heires Executors Administrators to pay or Cause to be paid unto the Said James Brooke of the Abovesaid County his heires Executors Administrators or Assignes the full and Just Sume of four thowsand Six hundred and Sixty pounds of good Sound Merchantable Leafe tobaccoe in Caske Convenient upon Pattuxent River in Prince Georges County by or upon the tenth day of October next [307] Ensueing the date of the Said bill Obligatory Notwithstanding which the Said Charles the Said Sume of 4660 pounds of tobaccoe in Caske According to the tennor of the Said bill Obligatory Although Often Required the Same to the Said James hath not Rendered but the Same to Render to the Said James hath denyed and Still doth denye to the Damage of the Said James of 8000 lbs. of tobaccoe and thereof he brings his Suite etc.