

the Said Defendant to their Declaration this Court may answer according to an act of Assembly in that case made and Provided etc.

Whereupon the Said Marine Devall in his proper person cometh and defendeth the force and Injury when etc. and Saith that he cannot gainesay the action of the Said Edward and Dudley nor but the Three thousand nine hundred ninety three pounds of Tobacco is due and oweing to the Said Edward and Dudley Carleton in Manner and forme as the Said Edward and Dudley against him hath declared.

Therefore it is Considered that the Said Edward and Dudley Carleton recover against the Said Marine Devall the Sume of three Thousand nine hundred and ninety and three pounds of Tobacco his Debt aforesaid and their Damages by occation of Deteineing the Said Debt to four hundred Seventy and two pounds of Tobacco to the Said Edward and Dudley of their assent by the Court here adjudged and the Said Marine Devall in mercy etc.

[349] Edward and Dudley Carlton plantiffe: Thomas Vaughan Defendant

The Plantives by Joshua Cecell their Attorney brought his Majestyes writt of capias against the Defendant in a plea of Tresspass upon the Case etc. being for the Sume of Eight hundred and thirty pounds of Tobacco due upon the ballance of accounts as by declaration filed and account entred may appear.

Thomas Vaughan Debtor July the 23 1694.

To 1 Grind Stone 60, to Cash Lent you 10, agreed for 200 260

To Tobacco paid Thomas Colliar 900

Dec. the 13 1695

To one pair of Stirrup Leathers and 1 hallter 36, to 1 brass Kettle 630 666

To one Doz. Pipes 004

1830

Creditor

By Mr. Samuell Solsworth 1000

Ballance Due 0830

The Plantiffes by Joshua Cecell their attorney haveing caused a Cobby of the Declaration and a cobby of the account by the Sheriff delivered to the Defendant at the time of the Serving the the writt upon the Said Defendant at the time of the Serving the writt which was Eight dayes before this Court whereupon the Said Plantives prayeth that the Defendant to their declaration may answer according to an act of assembly in that and such like Cases made and provided etc. Whereupon the Said Thomas Vaughun in his propper person cometh and Defendeth the force and injury when etc. and Saith that he cannot Gainesay the action of the Said Edward and Dudley nor but the Eight hundred and thirty pounds of Tobacco is due and oweing to to the Said Edward and Dudley Carleton in manner and forme as the Said Edward and Dudley against him hath declared.

Therefore it is Considered that the Said Edward and Dudley Carleton recover against the Said Thomas Vaughun the Sume of Eight hundred and thirty pounds of Tobacco his Debt aforesaid and their Damages by occation of deteineing the Said Debt to two hundred and forty pounds of Tobacco to the Said Edward and Dudley of their assent by the Court here adjudged and the Said Thomas Vaughun in mercy.