

denye to the Damage of the Said Thomas and Peter and Company of 3500 lbs. of tobacco and thereof they bring their Suite etc.

William Stone    John Doe, Richard Roe.    Pledges etc.

Whereupon the Said David Small by Joshua Cecell his Attorney comes and defends 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 Plaintiff Likewise And now here att this Day (to witt) the 23 day of January came the Said Thomas Tasker and Peter Paggon and Company by their attorney aforesaid and Prayeth that the Said David Small to their Declaration aforesaid may answer.

Whereupon the Said David Small by Joshua Cecell his Attorney cometh and Defendeth the force and Injury when etc. and Saith that he is not informed by the Said David Small his Client in the Plea aforesaid and nothing more thereof Saith by which the Said Thomas Tasker and Peter Paggon and Company remaineth against the Said David Small [without defense].

[391] Therefore it is Considered that the Said Thomas Tasker and Peter Paggon and Company recover against the Said David Small administrator as aforesaid as well the Sume of two Thousand three hundred and fourty pounds of Tobacco his Debt aforesaid as also the Sume of three hundred and four pounds of Tobacco to the Said Thomas Tasker and Peter Paggon and Company of their ascent by the Court here adjudged and the Said David Small in mercy.

Nathaniell Jenkinson Plantiffe: Martin Poartwood Defendant

Martin Poartwood Late of Prince Georges County planter otherwise Called Martin Poartwood of Stafford County in Verginia Planter was Sumoned to answer unto Nathaniell Jenkinson of a Plea that hee render unto him the Just Sume of Three Thousand pounds of Leafe Tobacco in Caske which to him hee oweth and from him unjustly deteineth etc.

And whereupon the Said Nathaniell by Joshua Cecell his Attorney Saith that whereas the Said Martin the ninth day of November in the year of our Lord 1696 att Stafford County in Verginia that is to Say att Charles Towne within the Jurisdiction of this Court by his Certaine bill obligatory which the Said Nathaniell with the Seale of the Said Martin Signed and bringeth here into Court the Date whereof is the Day and year aforesaid did binde himselfe to Pay or Cause to be Paid unto the Said Nathaniell Jenkinson of the Same place his heires assignes The Just Sume of three thousand pounds of Leafe Tobacco in Caske to be paid upon all demand att some Convenient place in the County of Stafford aforesaid Nottwithstanding which the Said Martin the Said Sume of 3000 pounds of Tobacco in Caske according to the tenor of the Said bill obligatory although often demanded the Same to the Said Nathaniell or his assignes hath not rendered but the Same to pay hath denyed and Still doth doth deny and Refuse to the Damage of the Said Nathaniell of 5000 pounds of Tobacco and thereof hee brings this Suite etc.

Pledges etc.    John Doe, Richard Roe.    Joshua Cecell

And the Said Martin Poartwood by William Stone his attorney cometh and Defendeth and defendeth the force and Injury when etc. and prayeth Leave to imparle here untill the next Court and it is Granted unto him the Same is given to the Plantive Likewise.

And now here att this day to witt the 23d Day of January in the year of our Lord 1698 [1699] here came as well the Said Nathaniell Jenkinson as the Said