

Georges County Court to be held att Charles Towne the fourth Tuesday in January next and Likewise att the time of Executeing this writt he give notice to all person or persons in whose hands or Possession he Atteached such Goods as aforesaid that they bee and appear before the Justices of our next Prince Georges County Court at Charles Towne as aforesaid to Shew Cause if any they have why the Said Goods soe atteached as aforesaid Should not be Condemned and Execution thereon to be had and made etc.

Att which Said Day the Said Sheriffe came into Court and made returne of the Said writt Endorsed on the back as Followeth (viz.) atteached in the hands of James Brooke one black Cow one two year old heifer vallued and appraised To Nine hundred pounds of Tobacco and atteached in the hands of John Deakins the Sume of five hundred and twelve pounds of Tobacco and Sumoned to Court.

per Thomas Greenfeild Sheriffe

Att which day here came the Said James Brooke and the Said William Groomé and John Deakins though Solemnly Called came not nor Either of them wherupon the Said James Brooke prayeth that the Cattle atteached in his hands and the Tobacco soe atteached as aforesaid may be Condemned and tha[t] Execution thereon to be had and made and by the Court here it is Granted unto him.

Henry Cullver Plantiffe: David Small Defendant

David Small Late of Prince Georges County Gentleman was atteached to answer unto Henry Cullver of a plea of Tresspass upon the Case etc.

And whereupon the Said Henry by William Stone his Attorney Compleineth that whereas the Said David the 29th day of March in the year of our Lord 1698 att Charles Towne within the Jurisdiction of this Court was indebted unto the Said Henry in the Sume of three thousand two Hundred thirty and Six pounds of Tobacco being by a note Drawne by one Henry Fernely upon the Said David payable to the Said Henry and accepted with the proper Hand wrighting of the Said David as by the Said Noate here ready in Court to be produced more at Large may appear, and the Said David to the Said Henry in manner afforesaid being indebted in Consideration thereof did assume upon himselfe and to the Said Henry then and there Faithfully Promise that he the Said David the Said Sume of three thousand two hundred and thirty Six pounds of Tobacco to the Said Henry when hee Should bee thereunto requested would well and truely Content and pay Nevertheless the Said David his promise and assumption aforesaid not att all regarding but mindeing and fraudulently intending him the Said Henry in this behalfe Crafttily and Subtily to deceive and defraud the Said Sume of 3236 pounds of Tobacco to the Said Henry hath not paid although the Said David to doe the Same by the [Said] Henry afterwards the Day and place aforesaid and at Severall other Dayes and times was often thereunto requested but hath hitherto refused and Still doth refuse to the Damage of the Said Henry of four thousand pounds of Tobacco and thereof he bringeth this Suite etc.

William Stone     John Doe, Richard Roe.     pledges etc.

The Plaintiff by William Stone his Attorney having Caused a cobby of the Declaration by the Sheriffe Delivered to the Defendant att the time of the Serveing the writt upon the Said Defendant which was Eight dayes before this Court whereupon the Said plantiff prayeth that the Said Defendant to his Declaration this Court may answer according to an act of assembly in that