

[449] And whereupon the Said Edward by Joshua Cecell his Attorney Saith that whereas the Said Ninian the 4th day of August in the year of our Lord 1696 att Charles Towne within the Jurisdiction of this Court by his Certaine Bill obligatory which the Said Edward with the Seale of the Said Ninian bringeth here into Court the Date whereof is the Day and year aforesaid did binde himsele his heires Executors and administrators to pay or Cause to be Paid unto the Said Edward Botteler of Callvert County Merchant his heires Executors: administrators or assignes the Full and Just Sume of Nine hundred pounds of good Sound Merchantable Leafe Tobacco in Caske Convenient in Callvert County att or upon the tenth day of October next Ensueing the Date of the Said bill obligatory Nott withstanding which the Said Ninian the Said Sume of Nine hundred pounds of Tobacco in Caske According to the tennor of the Said Bill obligatory although often required the Same to the Said Edward hath not renderd but the Same to render hath denyed and Still doth denye to the Damage of the Said Edward of 1200 pounds of Tobacco and thereof he brings this Suite etc.

Pledges to Prosecute John Doe, Richard Roe. Joshua Ceceel.

And the Defendant by John Meryton his Attorney comes and defends the force and Injury when and Prayeth Licence thereof untill the next Court and it is granted unto him and the Same day is given to the Plantiffe Likewise etc.

Att which day (to Witt) the 22d day of August annoque Domini 1699 came as well the Said Edward Botteler Plantife by Joshua Cecell his Attorney aforesaid as also the Said Ninian Beall Defendant by John Meryton his attorney and the Said John Meryton craves Oyer of the bill upon which the Plantiff Sues and twas read unto him etc.

Whereupon the Court haveing fully understood the alligation of the Said Defendant it is Considered that the Said Edward Botteler Plantiffe recover against the Said Ninian Beall Defendant as well the Sume of Nine hundred pounds of Tobacco his Debt aforesaid as also the Sume of two hundred twenty four pounds of Tobacco Cost of Suite to the Said Plantife of his Assent by the Court here adjudged and the Said Ninian Beall Defendant in Mercy.

Charles Wallker Plaintiff: John Chappman Defendant

John Chapman Late of Prince Georges County Cooper was atatched to answer unto Charles Wallker of a Plea of Tresspass upon the Case etc.

And whereupon the Said Charles by Joshua Cecell his Attorney compleineth that whereas the Said John the 12th day of November in the year of our Lord 1698 att Charles Towne within the Jurisdiction of this Court Stood Indebted unto the Said Charles in the Sume of Eight hundred and fifty pounds of Tobacco In consideration thereof the Said John did assume upon himsele and to the Said Charles then and there Faithfully promise that hee the Said John when he Should be afterwards requested would clear and acquitt off and from the bookes of one Nathan Smith upon the account of the Said Charles the Said Sume of 350 pounds of Tobacco as by a Note Subscribed with the proper handwrihting of him the Said John Chappman and here ready in Court to be produced relation being thereunto had may more att Large appeare Nevertheless the Said John his promise and assumption Soe as aforesaid made little regarding but mindeing and fraudulently Intending him the Said Charles in this behalfe Crafftily and Subtily to deceive and defraud the Said John from the bookes of the Said Nathan Smith did not discharge clear and acquitt upon the account of the Said Charles the Said Sume of 850 lbs. of Tobacco According