

Att which day (to witt) the 26th day of September annoque Domini 1699 here came as well the Said Daniell Ivey and Henry Arther by William Stone their attorney as the Said John Chappman by his attorney and the Said Daniell and Company prayeth that the Said John Chapman to their Declaration above Said may answer.

And the Said John Chappman by Joshua Cecell his attorney comes and Defends the force and injury when etc. and Saith that he did not assume in manner and forme and putts himselfe upon the Court by consent. Joshua Cecell.

And the Plantiffe also. William Stone.

Whereupon the Court haveing read and Fully understood the Alligations of the Parties on both Sides and the Wittnesses on both Sides being Fully heard by the Assent of the Parties aforesaid. Therefore it is Considered by the Court that the aforesaid Daniell Ivey and Henry Arther recover against the Said John Chappman as well the Sume of 1063 pounds of Tobacco his Debt aforesaid as also the Sume of 252 pounds of Tobacco Cost of Suite to the Said Plantives of their Assent by the Court here adjudged and the Said John Chapman Defendant in mercy.

[484] Thomas Taney Plaintiff: David Small Defendant

David Small Late of Prince Georges County Gentleman was attached to answer unto Thomas Taney of a Plea of Tresspass upon the case.

And whereupon the Said Thomas by William Stone his attorney Compleineth that whereas the Said David the Seventh day of September in the year of our Lord 1697 Att Charles Towne within the Jurisdiction of this Court was Indebted unto the Said Thomas in the Sume of three Thousand pounds of Tobacco being by a note drawne by one James Cranford Gentleman upon the Said David payable to the Said Thomas and accepted with the Propper hand writing of the Said David as by the Said Note here ready in Court to be produced more att Large may appear and the Said David to the Said Thomas being Soe Indebted as aforesaid in consideration thereof did assume upon himselfe and to the Said Thomas then and there faithfully promise that he the Said David the Said Sume of 3000 lbs. of Tobacco to the Said Thomas when he Should be thereunto requested would well and truely Content and pay Nevertheless the Said David his promise and assumption aforesaid not regarding but mindeing and fraudulently intending him the Said Thomas in this behalfe Craftily and Subtily to deceive and defraud the Said Sume of 3000 lbs. of Tobacco to the Said Thomas hath not Paid although the Said David to doe the Same by the Said Thomas 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 Thomas of four Thousand pounds of Tobacco and thereof he bringeth his Suite.

William Stone. John Doe, Richard Roe. Pledges.

And the Said David Small by Joshua Cecell his attorney comes and Defends the force and Injury when etc. and Prayeth Licence to imparle here untill the next Court and it is Granted unto him the Same day is given to the Plantiffe Likewise. Att which day (to witt) the 26th day of September annoque Domini 1699 here came as well the Said Thomas Taney Plaintiff as the Said David Small Defendant by their attorneyes aforesaid and the Said Thomas Taney Prayeth that the Said David Small to his Declaration abovsaid may answer.

And the Said David by Joshua Cecell his attorney comes and defends the