

pounds of tobaccoe which by an Act of Assembly of this province Intituled an Act touching Coopers and gaudg[es] of tobacco hogsheads which to him he oweth and unjustly Deteyneth.

And whereupon the Said Abraham Feilds by Thomas Hughes his Attorney Complayneth that whereas in and by a Certaine Act of Assembly begunn and held att the City of St. Marys the 21th day of September Annoque Domini 1694 in the 6th year of our Sovereign Lord and Lady William and Mary by the grace of God King and Queen of Englnd: Scotland France and Ireland etc. and by Severall other Acts Revived and Continued and now Standing it was Enacted by the Authority aforesaid amoung Divers other Lawes and things therein Contained that any Cooper or Coopers person or persons whatsoever that Shall Agree with any of the Inhabitants of this province and undertaking with him or them to Sett up or make his or their tobacco hogsheads and Casks Shall and are thereby to Sett up and Finish one halfe of the Said tobacco hogsheads and Casks by the tenth of October next Ensueing the undertaking of the making of Such tobacco hogsheads and Casks as aforesaid and the other moyety of the Said tobacco hogsheads and Casks to Sett up and Finish by or before the tenth of December next Ensueing Such Contract as aforesaid and if any Cooper or Coopers person or persons whatsoever within this province Soe agreeing and undertaking [the] Same as aforesaid Shall Willfully or otherwise neglect and refuse to make Sett up and finish the Said tobacco hogsheads [and] Casks as aforesaid by Such time as aforesaid Shall forfeitt the Sume of one hundred lbs. of tobacco per tunn of Casks or tobacco hogsheads Left at the time aforesaid unmade not Sett up and unfinished to be recovered in the Severall County Courts where the partie or parties Cooper or Coopers doe att that time dwell or reside unless the Said Cooper or Coopers person or persons agreeing or undertaking the Said worke or Caske aforesaid Shall or Cann before the Comisoners of Such County Courts make it appeare Suffitiently that he was hindered in the performing his Said Agreement or undertaking by Sickness or Some other Lawfull Impediment to be Adjudged and Approved by the Said Comisoners of the Said County Courts as by the Said Act Relation being thereunto had it doth and may more Fully and at Large Appeare and the Said Abraham Feild[s] in fact Saith that the Said John Gardiner not being Ignorant of the premises upon the 16th day of November 1694 did agre[e to] undertake to Sett up and finish for him the Said [Abraham Feilds] four tunns of tob[acco] [60] hogsheads or Casks to be made Sett up and Finished in Such manner and forme by Such times as in and by the Said Act of Assembly is Limited expressed and declared but he the Said John Gardiner the Said Act of Assembly not Regarding nor the penalty in the Same Contained any Jott fearing did not make Sett up nor Finish the Said four tunn of tobacco hogsheads or Casks or any part thereof for the Said Abraham Feilds According to the Act of Assembly as aforesaid although often thereunto Required whereby Action hath Accrued to the Said Abraham to have and demand of the Said Gardiner 100 lbs. of tobacco per: tunn of the Said Cask not Sett up and unfinished as aforesaid According to the Act etc. amounting in the whole to the Sume of Eight hundred pounds of tobaccoe and thereupon he brings his Suite.

Thomas Hughes for plantiffe. Pledges etc. John Doe, Richard Roe.

And the Said Abraham Feilds Came into Court and prayed Leave of the Court here that he might have another Attorney to pleade for him in the Action aforesaid his former Attorney Thomas Hughes not being here in Court and it is granted unto him. And now here at this day (to witt) the 24th day of November