

Hunter }
ad }
Nossell } Plea the Defendant prays Oyer of the writ Housley
p Post

And likewise the Defendant by William Housley his attorney
in law and defendant the force and injury action &c and demand
in Law to the Pet Declaration and prayer Judgment

Housley & Defend:

Which Demurrer being Argued and allowed of to be
good in Law, by this Court Judgment is Awarded for a Non
suit

Therefore it is considered by this Court that the Defendant
John Hunter doo Recover from the Pet Gerardus Nossell
as well the sum of fifty pounds of Tobacco for a Non
suit as also the sum of One hundred and seven and
eight pounds of Tobacco rest of suit

at 75
all 100
178

Simon Wilmers etc

Gerardus Nossell p
at
John Hunter d

Does but Plaintiff not prosecuting
his Action Judgment is Awarded for a Non
suit

Therefore it is considered by this Court that the Defendant
John Hunter doo Recover from the Plaintiff Gerardus
Nossell as well the sum of fifty pounds of Tobacco for a
Non suit as also the sum of One hundred fifty and eight
pounds of Tobacco rest of suit

at 58
all 100
158

Simon Wilmers etc

These }
ad }
Nossell } Reasons in Arrest of Judgment

First there is a great variance betwixt the Original writ in Declaration
for in the writ command is given to the Sheriff that he take John Hunter
with the Dors In: Nossell alias dicitur in Trade of Hunt family which is so great
a variance that it cannot be helped by the Statute of Josephus Duffrey
Report p 157 f 134 Housley and Harris for case 1602 in Law and
Whentons report in D. R. Housley grand abridgment title count & word por
11

Wilmers etc