

1727

By and not other And the Defend: thereupon prayes Judgment of <sup>the</sup> Court  
Account ... Clouds & Defend:

Chaires }  
at }  
Court }  
Replicat on the part: of W<sup>m</sup> Hemfley his Attorney Saith that  
that y<sup>e</sup> so part: for any matter in the so Defend: plea contained he ought  
not from his Account be forced to be precluded therefore for want of a sufficient  
plea and Answer to the so Defend: Declaration he prayes Judgment &c.

Hemfley & of:

The obligation and Bill of cost above being produced to this Court and y<sup>e</sup>  
demurrer before writed being argued y<sup>e</sup> Court overrule the so demurrer  
whereupon the se John Chaires by William Hemfley his Att<sup>y</sup> moves this Court  
that he may have Judgment for his so Debt and cost which is accordingly  
granted

Therefore it is considered by this Court that the part: John Chaires doe  
recover from the Defend: Thomas Collins as well the aforesaid sum of  
One thousand six hundred fifty and eight & half pounds of Tobacco  
as all the cost of suit being four hundred eighty and four pounds of  
Tobacco

Simon Wilmer & Clerk

From which so Judgment the so Defend: by Nicholas Clouds his Att<sup>y</sup>  
appeales and Robert Smith Esq<sup>r</sup> becomes security that the Defend: Thomas  
Collins shall prosecute the so appeale and likewise to pay all cost and the  
damages according to Law in such case made and provided if the so appeale  
be not prosecuted by the Defend: Thomas Collins with Effort

Robert Norrest part

at  
Richard Wallis Defend

Render 400 of Tobacco upon which y<sup>e</sup> Sheriff  
returned Coppy for pay but y<sup>e</sup> Defend: neither by himself  
nor any appearing Judgment is awarded by Nihil Dicit

Therefore it is considered by this Court that y<sup>e</sup> Plaintiff Robert Norrest doe  
recover from y<sup>e</sup> Defend: Richard Wallis as well y<sup>e</sup> sum of seven hundred pounds  
of Tobacco Debt as all the sum of two hundred thirty & five pounds of  
cost of suit

Simon Wilmer & Clerk