

Command was given to the Sheriff of Kent County 23<sup>th</sup> Day of June  
Anno Dom 1696 to take Josias Clifton if he should be found in his Bail  
with and him safe keep so that he haue his Body before his Ma<sup>ty</sup>  
Justice at the Next Court to Answer unto Peter Allaby of a plea of Tres  
upon the case

At which Court viz: the 23<sup>th</sup> Day of March the Day of the Returne of  
the Writt came Capt: Edward Inyatman High Sheriff of the County and made  
returne of the Writt in these followinge Wordes viz: Capt: Ed: Inyatman  
the ff

And now here at this day the said cause standing for Trial and the  
Peter Allaby by W<sup>m</sup>: Henfloy his Attorney and declared: viz:  
That J: Josias Clifton of Kent County Mariner Goods Attached to Answer unto  
Peter Allaby of a plea of Tres: upon the case

And thereupon the said Peter Allaby by W<sup>m</sup>: Henfloy his Attorney complains  
that Whereas the said Josias on the 23<sup>th</sup> Day of November Anno Dom 1696 in the  
County within the Jurisdiction of this Court Goodly and lawfully sold unto the said Peter  
in the full and just Summe of Eight hundred forty seven and a halfe pounde  
of good sound Merchantable Tobacco in ready paye by account the particular thereof  
are here in Court brought in consideration that the said Josias Clifton upon firm  
sale assumed and to the said Peter he faithfully promised that he the said Josias should  
summe of 847<sup>1</sup>/<sub>2</sub> of Tobacco unto the said Peter would well and truly pay when  
thereunto required Yett notwithstanding the said Josias the said summe of 847<sup>1</sup>/<sub>2</sub> of Tobacco  
according unto his promise and Assumption offered unto the said Peter Allaby  
he hath not paid all the often required but the said to pay he hath denied  
refused to the damage of the said Peter Sixty and hundred pounde of Tobacco  
and thereupon he bring this suit  
Henfloy of: J: Doe  
J: Doe

Wherein the said Josias Clifton neither by himselfe nor by his Attorneys making  
any reasonable defence Judgment is awarded for the said summe and cost

Therefore it is considered by this Court that the said Peter Allaby doe recover  
from the Defendant Josias Clifton as well the aforesaid summe of Eight hundred forty  
seven and a halfe pounde of Tobacco as also the summe of Two hundred forty  
and three pounde of Tobacco cost of suit  
Simon Wilmer