

All which Court viz: the 22th day of June Anno Dom 1696
the day of Return of the writs James Capt. Edward Swatnam
High Sheriff of the County and made Return of the writ in
these words viz: Capt. James Swatnam Sheriff

On which day said the said Thomas Lewis by Richard Markin
his Attorney and prayer thereof to imparels until the next Court
which was granted the lands say is given the per all for

At which Court viz: the 25th day of August Anno Dom 1697
came as well the said Thomas King by William Homfroy his Attorney
as also the said Thomas Lewis the Defendant by Richard Markin
Attorney and the same standing for Trial

Thomas King Pl^{et}
at
Thomas Lewis Defnd } West of Thomas Lewis of Kent County
franchise Attached to Answer unto Thomas
King of a plea of Trovass upon the rape

And whereas upon the said Thomas King by William Homfroy his
Attorney complaints that whereas the said Thomas Lewis on the
10th day of March Anno Dom 1696 in the County within the
Jurisdiction of this Court took and carried to the said Thomas
King in the full and just value of seven hundred and
thirty pounds of good and merchantable Tobacco in
task by Account the particulars thereof are here into Court
brought in consideration of the said Thomas Lewis upon himself
affirmed and to the said Thomas King he faithfully promised that
he the said Thomas Lewis the said sum of 730 of Tobacco unto
the said Thomas King would well and truly pay when thereunto
required yet notwithstanding the said Thomas Lewis the said sum of
730 of Tobacco according to his promise and Assumption
unto the said Thomas King he hath not paid altho of perquisition
out he should to pay the said sum and refused to the damage
of the said Thomas King 1400 of Tobacco and thereupon he
brings this suit

Homfroy of: plodget &c: as J^{ur}: Doe
Rich: Doe

And the Defendant by Richard Markin his Attorney Demurs in
Law and for Cause that there is variance Betwixt the
writ and Declaration viz: of writ faith to Answer J^{ur}: of a plea
of Debt and the declaration faith to Answer J^{ur}: of a plea of Trovass