

You have the case the to Hugh R. Sheriff ~~to~~ and assumption
 aforesaid ~~with~~ regarding but looking and intending them
 said Sarah Daniel and John Raffley to do void the sum
 of 1000 of Tobacco or the value thereof as aforesaid but
 not ^{paid} all the often demanded but the said to pay no such
 void and refused and still doth deny and refuse to the dama-
 ge of them the to Sarah Daniel and John the sum of
 1000 of Tobacco or the value thereof as the master
 in hand and thereupon they bring this suit

Hompley vs. et. plody &c. In: Doe Rex

Hugh R. Marsh
 and
 Sarah Dan
 and
 John Toas

And the to Defend: by Michael Carle his att. &c.
 comes and defends the force and injury whereof
 for plea saith that the order of the said Sarah Daniel and John Toas
 and the Matter therein contained is not sufficient in Law for them
 the to PET to have and maintain their action by him the to DEF
 and that the to Defd: hath no property nor by the Law of the Land
 is he bound to answer all which he is ready to Avow therefore for the
 want of a sufficient order in this behalf and sufficient matter
 therein to be contained he the to Defd: prays Judgment together
 with his costs to be adjudged unto him by this Court his order of Def
 Camp dom:

1st case: The PET in their order both alledge y Defd: stands fully in-
 debted to them in the full and just sum of Ten thousand pound of
 of Tobacco or the value thereof in Indian form and Wheat &c but
 doth not declare how the to Defd stands indebted to them the to PET
 the to sum of Tobacco &c: whether by Bill Bond Acc: or otherwise
 so that the to Defd: knoweth not how to put in a certain answer

2d case: If the to PET: declare upon an account then the said account he
 should have soon filed with their order that the to Defd: might he
 have known how to answer but if upon an obligation then the to
 PET should have mentioned their obligation that then the Defd
 might have drawn Oyer thereof and known how to have answer
 the same

His