

All which Court viz: the 23th day of November Anno Dom^o 1697 the day of Return of the writt vnder the Great Seal of Great Brittain High Sherrif of the County and in due return of the writt in these words Copi forpora ff W^m Swatnam
the ff

And now heard att this day the sd requeste granted for legal returne the sd Pet by Richard Mearles his Attorney and Doctor of Law

John J. Edward Welwin and Susanna his Wife etc. of the County of Middlesex will and Consent of Phillip Davis late of the County of Middlesex Heirs Attaches to Answer unto W^m Swatnam of a plea of Gross waste upon the case

And wherupon the sd William by Richard Mearles his Attorney complains that whereas the sd Phillip in his life time viz: on the 23th day of November Anno Dom^o 1691 att Chester River in the County within the Jurisdiction of this Court had by Indenture to the sd W^m in the full and just sum of four hundred pounds of Tobacco it being then for an Att^y of God in the Provincial Court for impounding and Robert Allon Marrison att the suit of him the said Phillip in consideration whereof the sd Phillip upon himselfe assumed and to the sd William faithfully promised that he the sd Phillip the sd sum of 400 of Tobacco ~~and to the said Marrison~~ should well and truly pay when Marrison should require it notwithstanding the sd Phillip the said sum of 400 of Tobacco according to his promise and assumption in his life time unto the sd W^m he did not pay nor to Susanna when sole and unmarried nor the sd W^m and Susanna since their Inter-marriage nor either of them in their several reparitions the same they had not since either often demanded out the same to see they have denied him the same and withall the sd W^m had damage of the said sum of 400 of Tobacco and the said Marrison his heirs

Richard Mearles