

Which Jury being duly sworn to try the said as before written
and having heard the Evidence and pleadings on both sides
the Court given them their charge who withdrew to consider on
the pleas and after some time did return and being called
over as aforesaid the Jurors and returned: and say were of the Jury
did find for the Defend: and so were they all. Subscribed upon
the Record of the Jury

Wherefore it is considered by this Court that the Defend: H
Robert Daunish did Recover from the Pet Richard Wallis
a sum of fifty pounds of Tobacco for a non suit
as aforesaid the sum of two hundred shillings and six pounds of
Tobacco cost of suit

Wilmers

Command was given to the Sheriff of Kent County the 18th day
of Nov: Anno Dom 1697 that he take Richard Wallis if he should
be found in his Bailiwick and him safe keep so that he should
his Body before his Majesty's Court at the next Court to Answer
unto Robert Daunish of a plea of Trespass upon the case

At which Court viz: the 27th day of April Anno Dom 1698 the day
of adjournment: returned of Ed Witt and say: Edward Swatnam
Justice Sheriff of said County and made return of Ed Witt in these
words Copy Edw: Swatnam Sheriff

On which said day the said Richard Wallis by Michael Carlo his Atty:
appeared and prayed thereof to imparlo which was granted the same he
gave to the Pet aforesaid

And now heard at this case the said cause standing for Trial came
the said Pet by Richard Marklin his Attorney and likewise the Def:
by Michael Carlo his said Atty: and the Pet declared viz:
That st: Richard Wallis of sd County for so stands Attached to Answer
unto Robert Daunish of a plea of Trespass upon the case
And sheweth upon the said Robert by Richard Marklin his Atty: Com=
plains that whereas the said Richard Wallis formerly to wit at a
Court held the 25th day of August Anno Dom 1697 before
Court