

Woulde well and truly Content, Notwithstanding the said Robert his promise  
of assumption of said debt regarding but minding of fraudulently  
intending him the said James in this behalf craftily & slyly to  
defraud the said sum of 1743 Pounds of tobacco to the said James  
be requested, but the same hath refused to doe still to the damage  
of the said James of 3000 Pounds of tobacco & the said sum  
substantia // Doul & Quod // Doul & Quod // Doul & Quod

And the Dct of Sam Worthington his attorney Comd & saith that the  
Ptt is ind-bled to the Dfnd a Debt of a greater sum than that he  
is sued for. and of this he puts himself upon the Court.

And the ptt puts himself on the Court also. // Worthington  
The ptt Dfnd having produced his account the balance  
appearing due to the Dct 396 1/2 pounds of tobacco, which being  
considered both acc being proved, the Court ordered a Non Sub  
agt the ptt with Cost alias Executio //

Edward Day Ptt Somerset County ss.  
Thomas Ex. Dct Thomas Ex of said County Carpenter  
was attached to answer unto Edward Day  
Debt of James Walker who was Betw  
of Cap. Thomas Walker doer in an action of said Cap & the other where  
upon the said Edward & Sam Worthington his attorney Complaind that  
whereas the said Thomas Ex, the sixth day of May in y year of our  
Lord 1679. with in the Jurisdiction of this Court was ind-bled unto  
the said Cap. Thomas Walker in his life time in the sum of four  
thousand four hundred ninty & nint pounds of Debt being for  
his real goods & Merchandises of him the said Thomas in his life time  
to the said Thomas Ex & he thereunto and did not  
appear, and the said Thomas Ex to have a forced the Walker in manner of  
and being ind-bled did upon himself faithfully promise & assumed  
to the said Walker in his life time that the sum of Debt he would well  
truly content & pay, Notwithstanding the said Thomas the said sum of Debt  
to the said Walker in his life time, nor in the life time of the said James  
nor any of them hath not paid y Debt to the great damage of the  
Edward Day of Eight thousand nint hundred ninty eight pounds  
of Debt, and thereupon he brings said sub. // Doul & Quod // Doul & Quod

Then assumed in manner of form & Curia = Doul  
And the ptt saith that he is ind-bled as by the book of y Dct  
appears of Curia. // Worthington

The totall Proceeding being considered, the Ptt not having  
brought his account regularly, thereupon y Court ordered  
a Non Sub agt the Ptt with Cost alias Executio //  
ind. aw. filed in y proceedings //

in Open Court  
to much been  
at Executio  
Eight day  
Court grants  
in days ad  
Doul & Quod  
Lock  
in the  
Justice has  
year of his  
brought  
in King  
1695 having  
Doul & Quod  
ay y Dct ptt  
became bound  
tra in form  
et if y Dct  
original action  
answer the  
Doul & Quod  
to answer  
a. And  
ys claim the  
this year of  
of this Court  
ninty eight  
for goods  
Doul & Quod  
y said  
himself  
Doul & Quod  
ad would