

On the back side of the aforegoing Writ was endorsed as follows: viz. The name of John Abington is not found within my Registry. Richard Ladd Sr. v. Abington entered appearance on the behalf of the said John Abington and the same in Imparance was granted till the third Tuesday in August. At a Salubert County Court held at Salisbury town the Eighteenth day of August in the fifth year of the Dominion of the R. Hon. Charles the Second of Anno Domini thousand six hundred and Eighty By the Lopp Justice thereunto appointed and authorized. viz.

Present { Mr Henry Lovell } Mr Richard Marsham
 { Mr John Griggs } Mr John Gaycroft
 { Mr Thomas Brooke } Mr Francis Collier

Salubert County Court } John Abington late of Salubert County Merchant was attached to answer into Thomas Trueman Gen of a plea of trespass upon the case.

And whereupon the said Thomas Trueman in his own proper person complained that whereas the said John Abington being a merchant and trader of this Province at his return from France to England did constitute and appoint one Thomas Abington in the year One thousand six hundred and eighty eight to buy sell and sell in all cases whatsoever the proper attorney of the said John and not to act or deal upon the account of any other person whatsoever And the said Thomas Trueman well knowing the said Thomas Abington did constitute and appoint one Thomas Abington the fifteenth day of November One thousand six hundred and eighty eight to buy sell and sell to him the said Thomas Abington One Parcell of the price of Two hundred and fifty pounds of Tobacco the said Two hundred and fifty pounds of Tobacco the said Thomas Abington did promise to pay in goods at first cost and allow for the said Tobacco five farthings p pound But the said Thomas Abington Attorney and Factor for the said John Trueman of the said sum to deliver the said sum with not paid And the said John Abington upon whose proper account the said sum was delivered both utterly refuse to pay the said sum although often therunto required Whereupon the said Thomas Trueman sayth he is damaged & hath loss to the value of One thousand pounds of Tobacco And thereupon he bringeth this suite. Pledg'd to Profit Hue & Cry

Thomas Trueman P'ty And the said John Abington by George Parker his Attorney Gen: the said John Abington D. F. sayth & sheweth that the said Thomas Trueman his action aforesaid against him ought not to stand because he sayth that the said John Abington did not constitute & appoint the said Thomas Abington to buy and sell the proper attorney of the said John Abington in manner and form as the said Thomas Trueman above in his declaration doth declare, nor he is ready to verify and demanded Judgment of the said Thomas Trueman his action aforesaid against him ought to stand. Geo: Parker

Thomas Trueman P'ty } And the said Thomas sayth that he by any thing by the said John before
John Abington D. F. } alladged of his action aforesaid ought not to be barred for that he sayth the said John Abington did constitute & appoint the said Thomas Abington to be the proper attorney of the said John Abington and of his estate himself upon the County. Thomas Trueman
And the said likewise } Geo: Parker