

Whereas Henry Jackson having commenced an action at Dan. & Norris and obtaining a Judgment of Attachment at him and Attachments having issued at him & being returned Nulla bona
 That said Defendant Dan. Norris att. a Court held for this County the 27. day of August Anno Dom. 1700
 by Richard Macklin his Attorney offered to appear to said Original Action in case of said Plaintiff Henry
 Jackson should find bail to pay Costs if non suited and on the Day & year aforesaid Michael Earle att. for
 said Plaintiff and affirmed that he will pay all Costs accruing upon said Action in case of said
 Defendant Dan. Norris and obtained a non suit at said Plaintiff Henry Jackson
 and said Defendant by Richard Macklin his Attorney appeared & prayed thereof an Imparls until the next
 Court which was granted unto him & same Day was given said Plaintiff likewise

Which says being continued until this present Court and as well of said Defendant by his said att. &
 as of said Plaintiff by Michael Earle his att. and said says now standing for Exall & Plaintiff David
 North County of ss. Daniel Norris of said County stands attached to answer unto Henry Jackson of apt. in
 in Maryland of Trospass upon said

And whereupon said Henry by Michael Earle his att. complaineth saith that Whereas the
 said Daniel Norris being indebted to a certain Francis Barneys John Nowell sum of four hundred pounds
 of Tob. and said Francis Barneys John Nowell being indebted to said Henry Jackson the sum of 500
 Francis and John on the 15. day of June Anno Dom. 1699. in said County within the Jurisdiction of this Court
 did draw a note on said Daniel requiring him & said Dan. to pay to him & said Henry the sum of
 four hundred pounds of Merchants Tob. and said note at said Henrys request should be paid Dan.
 discharged for said note which said note on the 15. day of July in the year aforesaid and within the Jurisdiction
 of said County was presented by said Henry to said Daniel requiring him & said Dan. to accept & pay the sum
 of four hundred pounds of Tob. according to the Tenor of said note which on the 15. day of July Anno Dom.
 1699. within the Jurisdiction of said Dan. did accept and on the back side of said note did promise to
 unto said Henry or ord. & contents of said note subscribed at the proper hand of said
 Daniel and hers in Court brought in said appearance in consideration whereof said Dan. upon his Oath
 affirmed and unto said Henry faithfully promised that he & said Daniel & said sum of four hundred
 pounds of Tob. unto said Henry he would well & truly pay when he wants after wards required by said
 the said said Dan. his promise & assumption not minding or regarding but plotting contriving & fraudulently
 secretly intending him & said Henry in this behalf craftily & subtilly to deceive & defraud the said sum
 of Tob. unto said Henry he hath not paid all the often demanded but said sum to pay he hath denied & refused
 will doth deny & refuse & unjustly obtained to the Damage of said Henry eight hundred pounds of Tob. and
 thereupon he brings this Suit
 Earle att. 9. 1700

Daniel Norris of Non assumpsit & patricam Macklin of Defend
 Henry Jackson of and Plaintiff in like manner Earle att. 9.

Command was therefore given to the Just. of Kent County that he cause to come here Twelve good & lawfull
 men of his County to try & Issue Joynt which Jury are as followeth viz. Thomas Wyatt Edw. Blesse
 Thomas Browne James Wallon George Smith Nicholas Moseley David Darison Thomas Nick Edwards
 Doulin Francis Spearment Thomas Head and Edwin Godwin which Jury being duly sworn to try
 Issue above recited and having heard the Evidence pleading & allegations on both sides of Court with
 them their charge
 draw to consider on the promises and after some time do again return
 being called over a
 Defendant & try
 Defendant & being asked what they find for doo say we doo find for
 the said Defendant & the said Plaintiff all of them doo say Judgment according to verdict

It shall for it is ordered by the Court here viz. this 28. day of Novem. Anno Dom. 1700 That said
 Defendant Daniel Norris as by said action god thereof without Day and it is likewise considered
 that said Defendant Dan. Norris doo recour from said Plaintiff as well of sum of fifty pounds
 of Tob. for a new Suit according to Act of Assembly in that case & provided as aforesaid sum of five
 hundred & eighty & nine pounds of Tob. Cost of Suits and said Henry Jackson in Money

Ch - 239
 Shert. 140
 cryer - 1134
 Jury call 220
 1700

In. Dordale