

Nov. Court 1702

Jeh. Macklin Esq of the Plaint may appear  
And the said Thomas Scott in his proper Person Comd  
into Court And saith y<sup>t</sup> he cannot gain say the plaint y<sup>e</sup> reason  
of Debt upon the said facts and is therefore willing y<sup>t</sup> Judg<sup>t</sup> be  
Entered ag<sup>t</sup> him for the same y<sup>e</sup> of Suit.

Which being by the Court heard and understood it  
is by them considered that the said Peter Allaby this 25<sup>th</sup>  
day of Nov Anno Dom 1702 Recover against the  
Thomas Scotten as well the sum of Twelve hundred  
and Sixty pounds of Tobacco the Debt upon account  
of the sum of two hundred and fifty seven  
pounds of Tobacco cost of Suit and the Def. in money &c

Michael Carle & Edward Fry and Edward Stevenson at die  
Edward Fry and Edward Stevenson both of  
W. Fry Stevenson Gent Family in holders was summoned to appear  
unto Michael Carle one of the Attys of said  
Court according to the Liberties and Priviledges accustomed of  
the said Court and shew unto him the full and just sum of  
Three hundred and thirty two pounds of Tobacco  
cases good sound and merchantable which to him they  
Owe and from him unjustly detainer

And whereupon the said Michael Carle in pursuance of  
Non in prosecution of the afo<sup>r</sup> Action saith that there  
as the said Edward Fry and Edward Stevenson on the twenty  
first day of July Anno Dom 1701 in said County within  
the Jurisdiction of this Court by their certain Bill or writing  
obligatory sealed with the Seals of them the said Defendants as their  
Act and deed delivered and read in Court brought whose date is  
the day and year ago did bind themselves their heirs Exors and Ad-  
mors jointly and severally to pay or cause to be paid unto the said  
Michael Carle his heirs Exors Admors certain sum or assignes the sum  
of 3142 to v. qualified as afo<sup>r</sup> convenient in the River in De-  
County upon demand after the date of the said Bill yet notwithstanding  
standing the said Defendants nor either of them the said sum of  
3142 of Tobacco according to the tenor of the said Bill unto the said  
Michael they have not paid altho of en demanded but the same  
to pay they and ovey of them have denyed and refused and still

(doth)