

November Court 1403

Likewise Directed & instructed by the said Philip's servants During of past 2 months  
 taken in all such buying & labour in the about & plantation as they David in his judgment  
 conceived best & necessary to be done & did reasonable serve for the said James  
 of sum of two thousand pounds of good toll yett of the said Philip his promise and assumption  
 of sum of two thousand pounds of good toll regarding but plotting & fraudulently intending him  
 David of the said 2000 of tolls partly to receive & to fraud of same 2000 of toll or  
 any part thereof to him of the said David, altho often required according to his duty  
 assumption of the said Philip hath not paid or to him of the said David in any manner  
 for of same contented but of same to him he should to pay altogether refused &  
 as yett refused to of Damage of the said David 2000 of toll, and thereupon he  
 bring his action  
 Macklin & of Pleyer & John Doe & Roe

Do with bill the said Doft by Michael Earle his atty, answers & prayd  
 leave to impale her unto until next Court is given him of James Doe  
 is given of the said Doft

Let it be next Court this action was continued until next Court at 10 o'clock  
 to with this 23 Day of October 1403 comes as well of the said Doft by his atty & as  
 of the said Doft by his atty, who Do defend of force & injury & the said James Doe

David morphy Non assumpsit modest forma of patriam Earle of Doft  
 Phillip Hopland Duplication of the said Doft in like maner: Macklin & of

Whereupon Comand is given to of Sher of Kent County of the immediately cause  
 to come here to be by whom he who neither to recognize & because of wold  
 of the said Doft of the said makes return of he has here ready to be as by his atty & the  
 was Comanded that, Tho: Cook, John Sharp, Char: Newman, Tho: Kallin, Ralph Arnold,  
 Jm: Hannen, Nicholas Macklin, Jm: Robinson, W: Park, Tho: Godwin, Mathew Doyler,  
 Peter Peterston, who being duly elected and sworn to say of truth in of the said  
 Doe say upon their oaths wold of of jury find for of the said Doft

It is therefore considered here by the Court this Day that of the said Doft  
 of the said 1403 that of the said Doft take nothing by his atty & as well in maner  
 for his late clamour, by of the said Doft goe there of wold Day, and it is  
 likewise considered by of the Court of James Day that of the said Doft recover  
 of the said Doft as wold of sum of 2000 pounds of toll for an assuit as of  
 sum of three hundred & eighty pounds of toll his atty & as well laid out  
 and expended according to of form of of statute be Geo: Lam & the