

Janij Court 1403: 11

At the 15th next Court to witt of the 22nd of June 1403 ~~the~~ being of Day of the return of writ of ~~the~~ made retr hereof ~~the~~
 Copy to me John Haukens ~~the~~
 Whereupon of the 20th of June appears, and by Sir Mathew his atty prays ~~the~~
 cause to Imperle herunto until next Court which is granted him of same ~~the~~
 Day is given of p^{ty} a boe all is sh^d next Court to witt on of the 21st of ~~the~~
 Aug^r anno Dni 1403 this action was continued until next Court at the 20th next ~~the~~
 to witt on of the 21st of Janij anno Dni 1403 this action was further continued ~~the~~
 and it was still continued from Court to Court until this present Court, to witt ~~the~~
 this 21st Day of Janij anno Dni 1403:4 when comes as wole sh^d by his ~~the~~
 atty a^o, saye p^{ty} by Michael Earle his atty who sh^d as follows ~~the~~
 1403

Kent County Jer^m miles of Babbet Curdy merchant stands attached to answer unto Jacob Cault ~~the~~
 in Maryland of a plea of trespass upon the case ~~the~~
 And whereupon of the 20th of June by Michael Earle atty complaineth & saith of whereas on the ~~the~~
 Day of Janij anno Dni 1403 in the County of Kent jurisdiction of this Court a certaine ~~the~~
 communication was had & moved between the said Jer^m miles & Jacob Cault concerning an action upon ~~the~~
 brought by the said Jacob Cault against the said Jer^m miles standing for trial in this Court, for unjustly ~~the~~
 to holding out Janij holding from him of the said Jacob Cault upon the communication it was then ~~the~~
 & there agreed by the said parties, atty special Justice & request of the said Jer^m miles ~~the~~
 he of the said Jacob Cault would Defendant of a writt action brought by him of the said Jacob Cault to him ~~the~~
 who then stood for trial ad a^o, that then & in Consideration thereof the said Jer^m miles would well & truly pay or cause ~~the~~
 to be paid unto the said Jacob Cault the sum of five hundred pounds of good tobacco in cash when thereunto ~~the~~
 a warrant is required and the said Jacob Cault in Deed sayeth giving credit to the said Jer^m miles upon the ~~the~~
 fair promise of him the said Jer^m miles he of the said Jacob Cault hath a writt action to be discontinued ~~the~~
 as by record of the County Court apper yett notwithstanding the said Jer^m miles his presumption ~~the~~
 before made not regarding but shifting & fraudulently contriving himself ~~the~~
 the said Jer^m miles in his behalf to receive the said five hundred pounds unto the said Jacob Cault ~~the~~
 hath not paid all though of ten demanded but yett same to pay he hath denyed & ~~the~~
 said & will both deny & refuse & unjustly detain the said five hundred pounds of the said Jacob ~~the~~
 1000 of tobacco & thereupon he bringeth this writt. Earle pr^{ty} Pleas^{ty} of the said Jer^m miles ~~the~~
 1403

So with the 20th of June by Sir Mathew his atty comes the Defendant of force & ~~the~~
 injury, whereat and plea sayeth ~~the~~
 Jer^m miles
 ad
 Jacob Cault
 non assumpsit modo et forma & patrum
 Mathew p^{ty} 20th June

And the p^{ty} in like manner saith of ~~the~~
 Whereupon Comand was given to the Sher^{of} of Kent County that he sh^d ~~the~~
 immediately cause to com: here twelve the ~~the~~ by whom the ~~the~~ who neither ~~the~~
 recognize the ~~the~~ and of the Sher^{of} makes an immediate return of his ~~the~~
 1403