August Court 1704

The Defft joynes in Demurr Phillipson & Bates

All which pleadings and allegations being by the Court heard & maturely Deliberated It is by ye Justices here Considered this 22 Day of August anno Dni 1704 yt the pl James Kent pltff recover agt ye Edward Jessop Defft as ye Sum of three hundred twenty twelve hundred pounds of tob the Debt agts as ye Sum of three hundred twenty and nine pounds of tob Cost of Suit by ye Defft in mercy &c

Edward Blay } Kent County
vs } in Mariland
Thomas Joce } Thomas Joce of ye County Inholder Stands attached to answer unto Edward Blay of Cecill County Gent of a plea of trespass upon ye Case

And whereupon ye sd Edward by Richard Earle his attorney Complaines and Saith yt whereas ye sd Edward on ye 24th Day of Feb an Dni 1703 in Cecill County to wit in ye Jurisdiction of this Court at ye Special Instance & request of ye sd Thomas Joce & Delivered unto ye sd Thomas ye quantity of Eleven Gallons & one half of rum at Seventy pounds of tob ye Gallon amounting in ye whole to ye Sum of Eight hundred & five pounds of tob in Consideration whereof ye sd Thomas upon himselfe assumed and unto ye sd Edward faithfully promised ye sd Thomas ye sd Sum of Eight hundred & five pounds of tob according to his Bargain & assumption & ever since he was required yett Neverthe-less the sd Thomas ye sd Sum of Eight hundred & five pounds of tob according to his Bargain & assumption unto ye sd Edward he hath not paid altho often Demanded but ye same to pay he hath Denyed & refuse & still Doth Deny & refuse and unjustly Detaine to ye Damage of ye sd Edward two hundred pounds of tob and thereupon he brings this Suit Earle pl

Eleven Gallon ½ of rum at 70 tob ye Gal 770
1703 ye 24th Feb
Sallva Dno ye sd Edward Blay

Kent County } Thomas Joce by Christopher Phillipson his attorney comes
in Mariland } and Defends ye force & Injury when &c And Saiyth ye Decla ye sd
Edward his action against him ye sd Thomas to have & maintaine & ye he ye sd
Thomas to ye Decla hath not had nor by ye Law of ye Land is obliged to answer
and this he is ready to verifie wherefore he prays Judgmt of ye sd Sufficient Decla of ye sd
Edward in this behalfe ye Thomas prays Judgmt and ye ye sd Edward from his
action aforesd may be Debarred Chr Phillipson

Dcm: Joynes Earle pl

Which pleading & allegations being by ye Court heard & fully understood. It is
by ye Justices here Considered ye 22 Day of Augt anno Dni 1703 that ye sd Edward
Blay recover agt ye sd Thomas Joce as well ye Sum of Eight hundred & five
pounds of tob ye Debt aforesd as ye Sum of two hundred fifty & seaven pounds
of tob Cost of Suit & ye Defft in mercy &c