As by an act to this Deed annexed and here in Court brought the same appears amount in the whole to ye sum of Six thousand Eight hundred and fourty pounds of tobacco In Condracion thereof the sd Walter upon him selfe assumed and unto the Said Henery faithfully promised That he ye said Walter the sd sum of 6840 lbs of tob unto ye said Henery he would well and truely pay when thereunto afterwards required Yett nevertheless the sd Walter his promise and assumption before made not minding nor in any manner regarding but slighting and fraudulently Contriving him ye sd Henery in that behalf Craftily & subtilely to Deceive and Defraud of ye sd sum of 6840 lbs of tob unto ye sd Henery he hath not paid although ye sd Demanded but ye same to pay he hath Denyed and refused and Still doth Deny & refuse and unjustly Detaine to ye Damage of ye sd Henery 1300 lbs of tob and thereupon he brings this Suit

Walter Bonnell Dr — Carle ffy Peter Jno Doe Rich Roe

			lbs tob
1703 aug 22		160 Gallons Syder att 6 ffoot tob p Gallon	960
1704 Jan 29		490 Gallons of Ditto att 6 ffoot tob p Gallon	2940
Xber 14		490 Gallons of Ditto at 6 ffoot tob p Gallon	2940
			6840

Leave Dr ffy p Hen: Hutchson

And the sd Deft by Philipson his attorney comes and Defends the force and Injury when &c and prayed leave to Imparle thereunto until next Court which was Granted unto him The same was Given the pltff alloe att the sd next Court To witt this 22d Day of aug anno Dni 1704 Comes the sd pltff by his sd attorney as alloe the said Deft by his sd attorney who further Defends ye force and Injury when &c and for plea saith, And the sd Walter by xpher Philipson his attorney Comes and Defends the Injury when &c and saieth ye he the said Walter Did not assume in manner and form as ye sd Henery above ag him hath Declared and of this he puts himself upon ye Country

Philipson ffy Deft

And the pltff in like manner. Carle ffy ye

Whereupon Comand is Given to ye Sher of Kent County if he immediately cause to come here to close &c by whom &c who neither &c to recognize because ye sd &c And ye sd Sher saieth ye he hath here ready to close &c as by his sd Precept he was Comanded to wit William Swetman Ssr austin Dwyard Carroll Renalus Smith Daniel wild Jno Swetman Thomas Bruff Geo: Smith Ssr Sig Coij Jno moore Tho: Booth Matthew Collier who being Elected tried and sworn to speak the truth in ye premises Do say upon their oathes we of ye Jury find for ye pltff in Damages Six thousand Eight hundred and fourty pounds of tobacco & Cost of Suit

Renatus Smith ag The adm: Coult

The sd pltff brought her majesties writt of Capias ag ye sd Deft for ye sum of three pounds Eight shillings Sterl but Did not prosecute ye sd action. Neither Did file any Doctr whereby he may make appear his cause of action according to ye rules of this Court upon which Default the sd Deft prays for action Secd according to act of assembly

Which