

April Court 1702.

Whereof the said Samuel upon himself assumed and unto the said Edward faithfully promised that he the said Samuel should afterwards require the said sum of 567½ Tobacco unto the said Edward he would work and truly pay yet notwithstanding the said Samuel his assumption and promise did not minding or regarding but stilling and fraudulently intending him the said Edward of the said sum of 567½ Tobacco wrongfully and subtly to deceive and defraud the said 567½ Tob. according to his said assumption and promise unto the said Edward altho the said Edward had not paid but the said Samuel to pay hath denyed and sayeth doth deny the same to him the said Edward to pay to the damage of the said Edward by 1067½ Tobacco and thereupon he brings this bill

In the Account at
Paris filed in this Court

Mackling of *Philip de ...* In D. R. R.

And the said Samuel by Mich^l Carlo his atty Comrs and Defends the foresaid Injury when the said prayeth to be imple herunto until next Court which is granted him the same Day is given the Plaintiffs &

At which said next Court to wit the 24th day of March Anno 1702 the Pleas appeared: but for as much as all proceedings in the said Court were continued by virtue of an Act of Assembly entitled an Act for the relief of Kent and Calvert Counties until the first Tuesday of April next: y^e Cause was accordingly continued. On which said first Tuesday to wit the seventh day of April here comes the said Parties by their attys afo^{re} and the said Defend^t by his atty further defends the foresaid Injury when ce^t and saith that for the many insufficiencies and uncertainties in the plaintiffs doct and the Account herunto annexed he the said Defend^t is not bound nor by the Law of the Land is he obliged to answer herunto all which he is ready to avow therefore for want of a good declaration and a certain and law full Account he the said Defend^t prays Judg^t if action be: Carlo's Petⁿ Reasons in Demand. The plaintiff in his declaration chargeth the Defend^t with the sum of two hundred fifty seven and one half pds of Tobacco but what the plaintiff meaneth by the first hundred fifty seven; whether hundred weights ½ hundred quarters y^e

(DR)