with force and Arms twelve tile Casks that is to Say two pipes three
fifty gallons Casks one fifty five gall. Casks and Six thirty gall. Casks
of the proper goods of him the said Thomas and Marked with his off
Mark he the s.d Edward did take from him the said Thomas and the same
Casks converted unto the proper use of him the said Edward and other
Enormities to him the said Thomas he the said Edward did do
Contrary to the peace of our Lord the King &c. And to the great
Damage of him the s.d Thomas &c.

And Whereupon the said Thomas by Mich Earl his
Atty Complains and Sayth that whereas the said Edward on the fourth
day of June Anno Dni 1701 in the County within the Jurisdiction
of this Court by force and Arms the aforesaid twelve tile Casks of the
proper goods of him the said Thomas and Marked with his
proper Mark he the said Edward did take from the said Thomas
and the same converted to his own use and Benefitt and
other Enormities unto him the said Thomas he the said Edw.
did do Contrary to the peace of our s.d Lord the King &c. and to the
great damage of him the s.d Thomas who Sayth he is the worse
and damage hath Sustained to the Value of 6000 lbs Tob. And therupon
he brings his Suit. Earl p q.r plag. &c. Dm. Do. Ki. Lore

And the said Def.t by R. Macklin his Atty Comes to defend the force
and Injury when &c. and prays Leave to Imparle hereunto until next
Court which is granted Unto him the same day is given the Pty also
At which d.o next Court being the twenty third day of June Anno
the d.o Parties by their Attys appeared and this Cause coud Court until
next Court by order of Imp.d and Consent

At which d.o next Court to wit this twenty fifth day of June Anno
Dom Comes as well the Pty by his Atty as the Def.t by his d.o
Atty who further defends the force and Injury when &c. and Says
ut. for the Manifold imperfections and insufficiencies in the Pltffs
decl. Mentioned and the Matter therein Contained this defend.t cannot
Nor by the Law of the Land is he bound to make Answer thereunto
And this he is ready to aver Whereupon for want of a good and Sufficient
declaration of him the s.d plaint in that behalf and Sufficient Matter
in ut. behalf Praying to be Contained this def.t prays Judg. &c.

Imp: The plaint in this decl. declares upon a Trespass supposed to be done
by the said defend.t but hath not alledged in what part of the
said County the trespass was committed that is in what hundred which
by the law he ought to have done, actions of Trespass being Local for if
an action of Trespass be said to be done in one County or parish the d.o

(May