day of March Anno Dom 1704 at Chester Ferry within ye Jurisdiction of this Court (to wit) three County Levys or Tax 2 6s pounds of Tobacco which the said pltff when he was Sheriff in the year of our Lord 1703 at the Special Instance & Request of the said Defendt before that time for him the said Defendant did pay to ye publick use of this County and also for the two Tax a County Levys in the year of our Lord 1704 afsd 370 pounds of Tobacco which the said pltff when he was Sheriff in the same year at the like Request of the said Deft at Chester Ferry afsd within ye Jurisdiction afsd had for the said Defendant paid to the publick use of this County which said two several years Tax of ye said Defendant in all amounted to the Sume of 631 pounds of Tobacco afsd being so much indebted the said Defendant did upon himself assume & unto the said pltff then & there faithfully promise that he the said Defendant ye said Sume of 631 pounds of Tobacco unto the said pltff when he should thereunto afterwards Requested would well & truly pay Nevertheless the said Defendt his promise & assumption afsd in form afsd made nothing Regarding but Contriving & fraudulently intending the said pltff in that behalfe Craftily & subtilly to deceive & defraud ye afsd Sum of 631 pounds of Tobacco unto the afsd pltff hath not paid altho' to pay ye same he the afsd Defendant at Chester Ferry afsd within ye Jurisdiction afsd on the first day of March Anno Dom 1707 by the afsd pltff was thereunto Requested but ye same 631 pounds of Tobacco unto the afsd pltff to pay hitherto he the afsd Defendant hath Denyed & Refused & still doth Deny & Refuse to the Damage of the afsd pltff 1200 pounds of Tobacco and therefore he brings Suit &c. Hunter pro Quart Hodges & John Doe Quand &c and prays that the Deft to this Declaration may Answer.

AND the afsd Isaac by Chris Philipson his Attorney Comes & Defends ye Force & Injury when &c and for plea saith that he hath duly paid unto the said John the afsd Sume of 631 lbs of Tobacco in the Deck of the said John demand and of this he puts himself upon the Country. Philipson pro Def

AND the pltff in like manner &c.

But the said pltff not being willing to prosecute his Action any farther & willing that a non Suite should be entered against him = = = THEREFORE IT IS CONSIDERED by the Court here that this Twenty Sixth day of August Anno Dom 1708 that the said John Hawkins take nothing by his Writt & Declaration afsd but for his false Clamour he and his pledges of prosecuting be in mercy and that the said Isaac Dowles go thereof without Day &c and also that the said Isaac Dowles do recover against the said John Hawkins the Sume of Two hundred and Seventy four pounds of Tobacco by the Court adjudged him for his Costs and Charges about his defence in this behalfe laid out and expended according to the form of the Statute &c

Jam Smith Clk