said William then & there faithfully promise that he the said Gerardus ye afsd Sume of 752 lb of Tobacco when thereunto required would well & faithfully pay & Content Nevertheless the afsd Gerardus his his promise & assumption afsd in form afsd made not regarding the afsd Sume of 752 lb of Tobacco in his life time he did not pay altho upon the afsd first day of August in ye year afsd at Kent County afsd within ye Jurisdiction afsd & often Times by the sd William he was required neither hath ye afsd James in his afsd Capacity Since the Death of the said Gerardus paid the Same altho upon the 25th day of March Anno Domi 1708 and often Times at Kent County afsd within ye Jurisdiction afsd he hath been by the said William thereunto required but the Same to him to pay hath denyed & yet doth deny & gainsay whereupon he saith he is worse & Damage hath by ye value of 1400 lb of Tobacco & of this he brings Suite &c Philipson pro Lord Hodges

Ca. John Doe Rich Roe

		Dr			Cr
1705	The Estate of Dorla Gerardus Wessells			By Philip Hirst	500
	To Acct made up w. him Feb. 16 w. bal then due	847		By Mathew Knowlman	1200
March	To 1 ℔ marking irons	14	1708	By Edward Dowland	700
	To 1 ℔ men gloves	24			2400
Ditto 11	To 1 ℔ buckles	14			
	To 1 Suit of Cloaths	1200		Rest due	752
	To 1 ℔ sugar wasted	60			3192
Ditto 16	To 1 ℔ billing hooks at 24	74			
	To 3 ℔ Serge at	900		Dec. ye 1st 1706 Recd Exempted	
	To 3 Doz paper at	18			
		3152			

On ye back of ye afsd Acct was Endorsed viz. August Court 1708 — Maj William Harris maketh Oath on the holy Evangelists that ye within Acct is Just & true & the balance is due as stated within stated being Seaven hundred & fifty two pounds of Tobacco proved in open Court Test Mich Ch.

AND the said Deft in his said Capacitie to Answer unto the afsd Declaration altho Solemnly called came not nor Say any thing in barr or avoidance of the Same Declaration. By which the said pltff may remaine against the said Deft without Doe Same — Therefore it is Considered by the Court here viz. this Twenty Seaventh day of August Anno Domi 1708 that the said pltff William Harris Doe Recover against the said Deft James Wessells in his afsd Capacitie the afsd Sume of Seaven hundred and fifty two pounds of Tobacco Damages by the said pltff Collected of ye Said Gerardus his not performing his promise and assumption afsd sustained & also the Sume of Two hundred & fifty four pounds of Tobacco cost by the said pltff about his Suite in this behalfe expended and by the Court here of his assent adjudged of ye Goods and Chattels of the said Gerardus in the hands of the said Deft Administrator of the said Gerardus to be administred and the said Deft in Mercy —

James Scott Clk