November Court 1708

John Watts may give special bayle to ye said action of him ye said Benjamin
Ordered by ye Court here that the said John Watts the Deft give special
bayle to ye action aforesd against him after which William Bayley his sonne
Court condition becometh bayle & doth undertake for ye said John Watts
ye payment of the Debt & costs if it shall happen that the said Benjamin
shall obtaine Judgment against the said John Watts or the said action of
Debt and ye said John ye condemnation shall not satisfie nor himselfe to
the Custody of ye Sheriff of said County deliver or that the said William ye
body of ye said John shall not render &c

after wch ye said Deft in his proper person appeared and prayed Eccles-
siastical to imparle unto ye next Court wch was to him granted the same day
was given ye plaintiff likewise

At wch said next Court viz the Twenty Eighth day of September in
ye yeare aforesd ye said cause was continued unto ye then next Court
At which said next Court viz this Twenty fourth day of November
in ye yeare aforesd ye said cause standing for Tryall came the said plaintiff by
John Wellinger his Attorney declares viz — Kent County in Mary Land ss
John Watts of Kent County planter otherwise called John Watts of Cecil County planter
was summoned to Answer unto Benjamin Grain of London Merchant of a plea that
he render unto him ye said John full & just summe or quantity of Foure hundred & twenty two
pounds of good sound Merchantable Tobacco in Casques to containe ye same wch he
hath not paid but ye same to him to pay he ye said John Watts hath denyed & gainsay
and still doth deny & gainsay to ye damage of ye said Benjamin Fourteene hundred
pounds of Tobacco and therefore he brings suite &c Wellinger Atq pledges &c Jno Doe
& Richard Roe — & says that the said Deft to this Declaration may answer and
the said Deft to this Decl all the solemnity called came not nor say any thing in barr
or avoidance of ye Plaintiffs Declaration by which the said Pltff may remaine
against ye said Deft without defence Therefore it is considered by the
Court here viz this Twenty fourth day of November Anno Domi 1708 that the