

November Court 1714

Subtly to deceive and defraud the said five hundred eighty one pounds of Tobacco or any part thereof to the said House (altho' to do the same the said Dominick the said Day & Year last mentioned & of late time at the parish and in the County & Jurisdiction and by the said House hath been thereto required) hath not paid but to him to pay hath altogether refused & witherto hath refused to the Damage of the said House one thousand pounds of Tobacco and thereupon he brings his Suite etc. Bonne & Duod of Def. Pleas. John Doe vs John Doe

AND the said ptt by his atty prays that the said Debt to his Doct and may be enforced Rule being given to the said Debt to plead yesterday. AND the said Debt by his atty having put in no plea to y^e said Debt the said ptt by his said atty prays that the said Debt may be called and the said Debt being called came and saith that he cannot gainsay the Union and of him the said ptt nor but that he did promise to pay the above Tobacco amounting to the sume of five hundred and eighty one pounds of Tobacco and is willing that Judgment should be entered for the same & Cost thereon accruing. Therefore it is considered by the Court here by this fifth day of November Annoque Domini one thousand seven hundred and fourteen that the said ptt House & House do recover against the said Debt Dominick Kinslay as well the said sume of five hundred eighty one pounds of Tobacco Damages by the said ptt on account of the said Dominick his not performing his promise and assumption and sustained and also the sume of two hundred and forty nine pounds of Tobacco Cost by the said ptt about his Suite in this behalfe expended and by the Court here of his assent adjudged and the said Debt in money etc.

Sam Smith etc.

John Green } There being a Debt filed in the said Cause and the said Debt having
Philip Searse } not atty at last Court NOW Comes John Johnson and Francis Cooke and apply
to y^e Sumo of y^e Debt and files a plea etc and there being argued on
the Country in the same Cause between the said ptt & Debt and the jury having
found for the Debt. the said ptt by Thomas Boone his atty moves in arrest of Judgment
on the verdict of the Jurors and which is granted and that the file Reason in the same
thirty day before next Court AND thereupon the same is continued to y^e next Court in course
Court adjourns till Tomorrow morning eight o'clock.

Nov. 2^d

The Worshipfull

- Edgarie meeds
- Col William Pearce
- Cap William Poth
- Cap Edward Scott
- Mr Michael Miller

Commiss^{rs} Genl

Yesterdays minutes read and approved

John