

August Court 1718

Said County to answer unto James Rae of plea of trespass of the Case and that he have men and there the said writ viz. writ which said next Court viz. the seventeenth day of June Anno Domini One thousand seven hundred and Eighteen the day of return of said writ came Simon Wilmer Gent High Sheriff of said County and made return thereof in these words thereon Endorsed as folo viz. *Copi Corpus p. Wilmer Sher.*

And the said Deft. in his proper person appeared to the said Court and prayed liberty thereof to impose there to and to answer at next Court which is granted the same day was given the ptt also

At which said next Court viz. the nineteenth day of August the same Year last mentioned the said Cause standing for tryall came the said ptt by Thomas Downe his atty and the said Deft. in his proper person and the ptt as by his atty declares as folo viz. Kent County Nathaniel Pearce of Kent County planter stands attached to answer unto James Rae of plea of trespass of the Case and whereupon the said ptt by Thomas Downe his atty complains that whereas the said Deft. viz. the ninth day of April in the Year of our Lord Christ One thousand seven hundred and Sixteen all parts parish in Kent County within the Jurisdiction of this Court in Consideration that the said ptt at the special Instance and request of the said Deft. had then there sold and delivered unto the said Deft. and to the proper use and behoofe of the said Deft. Goods and Merchandises in an *Acto* hereunto annexed set forth upon himself assumed and to the said ptt then and there faithfully promised that he the said Deft. so much Current Silver money of America as the said Goods and Merchandises sold and delivered as aforesaid at the time of the sale and delivery thereof at reasonable rates and prices were worth and amounted unto the said ptt when thereunto required would well and truly pay and content and the said ptt indeed saith that the said Goods and Merchandises sold and delivered as aforesaid at the time of the sale and delivery thereof at reasonable rates and prices were worth and amounted unto the sume of two pounds Twelve Shillings and Six pence Current Silver money of America in Manner as in the said *Acto* set forth of which the said Deft. then and there had notice. And that whereas also the said Deft. afterwards viz. the Twentieth day of August in the Year of our Lord Christ One thousand seven hundred and Seventeen all parts parish in Kent County within the Jurisdiction of this Court in Consideration that the said ptt at the like special Instance and request of the said Deft. had then and there last mentioned sold and delivered unto the said ptt by the hands of a certain John Macomber and to the proper use and behoofe of the said Deft. eight bushells of Merchantable Wheat for the sume of three pounds and twenty pounds of Merchantable Tobacco and Ten bushells of Merchantable Indian Corn for the sume of two hundred pounds of Merchantable Tobacco which in the whole amounts unto the sume of five hundred and twenty pounds of Merchantable Tobacco upon himself assumed and to the said ptt then and there last mentioned faithfully promised that he the said Deft. the said sume of five hundred and twenty pounds of Merchantable Tobacco unto the said ptt when thereunto required would well and truly pay and content and that whereas also the said Deft. afterwards viz. the Twentieth day of August in the Year of our