

March Court 1717

the same he hath denyed & still doth deny to the damage of him the said p^t two thousand pounds of tobacco and thereupon he brings Suit &c.

Return of the p^t in Doe

And the said Deft being called came and the said p^t by his atty^r says that the Deft may give special baile to the apⁿ which is granted. After which Thomas Jones of said County comes hereinto Court and acknowledges himselfe as special baile in the apⁿ and doth undertake for the apⁿ Deft the payment of the Damages & Cost if it should happen that the said p^t shall obtaine judgment against the said Deft in the apⁿ and the Deft the Condemnation apⁿ shall not satisfie nor himselfe to the Custody of the Sheriff of said County deliver or that the apⁿ Thomas Jones the body of the said Deft shall not render &c.

After which the apⁿ Deft in his proper person appears to the apⁿ Court and saith that he cannot gainsay the apⁿ of him the said p^t nor that he is indebted to the apⁿ p^t the sume of Twelve hundred eighty four pounds of tobacco and is willing that judgment should be entered for the same & Cost thereon according therefore to the order of the Court here by this Twentieth day of March Anno Domini One Thousand seven hundred and Seventeen that the said p^t John Underling Sen. recover against the said Deft John Underling Jun. as well the apⁿ sume of Twelve hundred eighty four pounds of tobacco Damages as also the sume of two hundred twenty seven pounds of tobacco Cost by the apⁿ p^t about his Suit in this behalfe &c. ordered and by the Court here of his apⁿ so judged and the said Deft in many

John Smith

Thomas Wallace } Kent County s^r W^m Forbush late of Kent County
at }
William Forbush } Plaintiff was attached to Ensur unto Tho. Wallace
of a plea of Trespas on the Case and whereupon the
said p^t by John Johnson his attorney complains
for that whereas the apⁿ Deft the Twentieth day of May one Thousand seven hundred & Sixteen at the parish of St. Peters in the County apⁿ & within the Jurisdiction of this Court was indebted unto the said p^t in the sume of three pounds & two pence Current money of this province for divers goods wares & Merchandises by him the said p^t to the said Deft sold & delivered and being so indebted the said Deft the day & Year apⁿ in Consideration thereof did upon himselfe assume & to the said p^t faithfully promise that he the said Deft the said sume of three pounds & two pence to the said p^t when he should be thereunto required would well & truly pay & Content yet nevertheless the apⁿ Deft his promise and assumption apⁿ in forme apⁿ made little minding or regarding but plotting & fraudulently intending the said p^t in his behalfe craftily & Subtly to deceive & defraud the said three pounds & two pence to the said p^t hath not paid altho' to do the same the said p^t by the said Deft the day & Year apⁿ