

June Court 1720

Seven hundred and nineteen at St Pauls parish in County afo. and within the Jurisdiction of this Court was indebted unto the afo. Deb. in the Sum of four hundred Sixty and four pounds of Tobacco for diverse goods wares & merchandises by him the Deb. to the P. Deb. Sold and delivered and being so indebted the Deb. the day and year afo. in Consideration thereof did upon himself assume and to the P. Deb. faithfully promise that he the P. Deb. the Sum of four hundred Sixty & four pounds of Tobacco to the P. Deb. when he should be thereunto required would well and truly pay & Content. Never the less the afo. Deb. his promise and assumption afo. made and provided little minding or regarding but plotting and fraudulently intending him the P. Deb. in his behalf craftily and subtilly to deceive and defraude the said four hundred and Sixty four pounds of Tobacco to the P. Deb. hath not paid but to do the same hath hitherto refused and still doth refuse to the damage of the P. Deb. five hundred pounds of Tobacco and thereupon he brings Suit

Whereupon at the prayer of the P. Deb. the Deb. is adjudged to give Special Bail to the action afo. thereupon Robert Mackey of Kent County Planter present herein Court undertakes for the P. George Mackey that in case the P. John Midford shall recover judgement against the P. George Mackey, or that he the P. George Mackey shall be therein Convict that then the P. George Mackey shall pay the Condemnation of the Court thereupon or tender his Body into the Custody of the Sheriff of Kent County in Satisfaction thereof or that he the P. Robert Mackey will do it for him.

And now at this Court viz. the 28th day of July anno Dom 1720 the afo. Deb. there in Court present in his proper person comes and defends the force and injury when he says that he cannot gainsay the P. Deb. afo. his action so as afo. against him brought, nor can he say but that the P. Deb. ought to recover against him his damages afo. by Occasion of the premises to the Sum of four hundred and Sixty four pounds of Tobacco and Cost of Suit afo. which the P. Deb. doth not gainsay. Therefore it is Considered by the Justices here the 28th day of July anno Dom 1720. That the said John Midford recover against the P. George Mackey as well the Sum of four hundred and Sixty four pounds of Tobacco his Damages afo. in form afo. Conspiced as aise the Sum of two hundred and fifty six pounds of Tobacco by the Court here adjudged to him for his Costs and Charges by about his Suit in his behalf laid out and expended and the Deb. in

Mary &c
James Smith