

November Court - 1723

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that he put himself upon the Country & Severi Gale & Doft - Whereupon the said Richard Wells by his attorney & pray that the plea & may be with drawn, for that he cannot gain say the plea his action & so as & against him brought nor can he say but that the said plea ought to recover his damages by Question of the premises & to the Sum of One thousand and fifty three pounds of tobacco and costs of Suit against him which the said plea does not gain say

Therefore it is considered by the Justices here the Nineteenth day of November and Dord. One thousand Seven hundred & twenty three & that the said Robert Martin Recover against the said Richard Wells as well the Sum of One thousand & fifty three pounds of tobacco & some damages & in form of (250) Confessed as also the Sum of Two hundred fifty - - - pounds of tobacco by the Court here adjudged into him for his costs and Charges by him about his Suit in this Behalf Said Out & Expended and the defendt. in mercy &c

The same
Thomas Layfield } Somerset County &c. Thomas Layfield of Coventry parish in the County of Somerset Gent. was attached to answer unto Robert Martin of plea of trespass upon the Case &c.

And whereupon the said Robert by Francis Allen his attorney Complaines that whereas the said Thomas the thirteenth day of October &c Dord. One thousand Seven hundred & twenty two at the parish & County of within the Jurisdiction of this Court was indebted unto the said Robert in two thousand Eight hundred Ninety and Seven pounds of tobacco for Lewis Sheriffs fees and publick dues and for barance thereupon to the said Robert then and there due & owing & unpaid as by and thereunto annexed may in Court appear and being so thereof indebted the said Thomas in Consideration thereof afterwards to wit the day and Year & at the place & in Consideration thereof upon himself did assume to the said Robert then and there faithfully did promise that he the said Thomas the said two thousand Eight hundred Ninety & Seven pounds of tobacco to the said Robert when he should be afterwards thereunto requested he would well and faithfully pay and content and altho the said Thomas three hundred twenty and Nine pounds of tobacco of the said two thousand Eight hundred Ninety & Seven pounds of tobacco to the said Robert he hath paid and satisfied yett as to two thousand five hundred Sixty and Eight pounds of tobacco residue of the said two thousand Eight hundred Ninety and Seven pounds of tobacco the said Thomas his promise and assumption & in form of made Little Regarding but plotting and fraudulently Intending the said Robert in that part Casually and Subtly to deceive and defraud the said two thousand five hundred Sixty and Eight pounds of tobacco to the said Robert he hath not paid or to him for the same in any wise Contented altho the same to do the same Thomas by the said Robert on the first day of December in the Year & oft afterwords at the parish & County of within the Jurisdiction of this Court he was thereunto requested but the same to him to pay or in any wise to Content hath refused and shew doth before and day whereupon the said Robert hath been worse and hath damage to the value of five thousand One hundred and fifty Six pounds of tobacco & thereupon he brings Suit &c

Attorned Quod Charges &c De Don R. & Ros

1729		M ^r Thomas Layfield	
To 4 S ^r ies 2 170		680	
To M ^r Hale &c		701	
To Cop ^y & Copy Saw Morris		41	
and int. ag ^t Edward Martin		30	
1720 To 3 S ^r ies 2 115		345	
To Edw ^d Layfield &c		120	
and int. ag ^t Beck		80	
1721 To 2 S ^r ies 2 109		218	
To Exp ^t fees for 2 128 100		155	
1723 for barance 2 8 1/2 of premium		568	
		2897	

Contra		C ^{rs}	
1729 By 4 1/2		52	
1721 By M ^r Thomas Newbold		277	
		329	
1723 Due		2568	
		2897	
Errors Excepted of Robt Martin			
Shew			

(And)