

March Cont. - 1723... 179

March Court - 1723 - 179
Tobacco damages as inform as by the Justice aserod as also the Sum of three hundred & Twenty five —
325 pounds of Tobacco by the Court here adjudged unto him for his costs and Charges by him about his Sute in this Cause
Laid out & expound ed & d^oft in money &c

f. D: Christopher Eiger } Somerset sp. James Heilcott Sale of Stegney Parish in Somerset County Doctor
 f. A: James Heilcott } was attached to answer unto Christopher Eiger of a plea of trespass upon the Case &c.

And where upon the said Christopher by George Dashwood his attorney complains that whereas the said James the tenth day of March and about one thousand seven hundred and twenty one at the parish of within the Jurisdiction of this Court was indebted unto the said Christopher in the sum of one thousand four hundred and fifty pounds of tobacco as aforesaid herewith annexed may in Court appear and the said James being indebted as aforesaid and in consideration aforesaid at the time and place aforesaid did upon himself assume and to the said Christopher then and there did faithfully promise that the said one thousand four hundred and fifty pounds of tobacco he would ~~was~~ faithfully pay when he should be thereto requested and altho' seven hundred and thirty pounds of tobacco part of the said debt the said James hath paid yet as to the residue being seven hundred and twenty pounds of tobacco part of the said debt unto the said Christopher, the said James according to his promise and assumption aforesaid hath not paid (altho' often thereto requested) - but that the same to pay hath refused and still doth refuse to the Loss and Damage of the said Christopher of whom ten hundred and forty pounds of tobacco and there upon he brings this Suit. - Dashwood & Co. v. James & Co. & the said Christopher

Mr. James Hewitt

Dr March 10th Day 1721

By credit in 1721 march

To 3 Sows and Litters at 100

0300

By 2 narrow gaps at 42 p.m.

780

To 1 Bedstead at 100

0100

By 2 ad gr at 86 f ad 2

470

To half a barrel of Rum

— 50 —

By pulling out at 36

086

To 3 Cent of explanation

100

By 1 pair of lingers at 20

020

1450

By pair of Corn paper at

060

Balance due to me Chas. Liger

73.

By 1 (sub) bridge at 30

478

By Chrysost. paid for my wife

080

1881

588

730

Errors excepted me Christopher Luper

November 3rd 1723. Came Chris^t the Elder and made Cath^o in due form that he above and^d is Just and true sworn before me In^d Han^d 173

And the said James procees by Francis Allen his attorney comes and defends the force and injury when g. and I pray leave to impare bonds until the next Court and he hath it and the same day is given to the gill
also - At which said next Court to witt the seven tenth day of March arrived One thousand Seven hundred

whereby there come againe as wth the said p^{er} by his attorney and as the said d^{ef} by his attorney and and the same attorney says that he is not informed by the same James Forrester his agent of any answer by the same d^{ef} to the and p^{er} in the plea and to be given and nothing else there of says by that the same p^{er} remains there against the and d^{ef} therefore unfounded & for which the said p^{er} ought to recover his damages against the said d^{ef} by reason of the premises and c^o. Whereupon at the prayer of the same p^{er} and by the consent of the and d^{ef} there is this order and the damages of the same p^{er} (according to act of assembly in such case provided) by Question of the premises and besides his costs and charges by him about his suite in this part responded to six hundred and nine pound, of tobacco &c.

Therefore it is considered by the Justices here the same day & year last mentioned that the said Christopher
Gyfford recover against the said James Hewlett as well the sum of Six hundred & Nine pounds of tobacco by the said his
damages as in form aforesaid by the Justices aforesaid. as also the sum of three hundred & seventy five
(275) pounds of tobacco by the Court here adjudged unto him for his costs and charges by him about his suit in this past Exchequer
Court in money &c

(275)