

March 1722

Can be say but that the said Esch ought to recover his Damages by Execution of the Premises up to the sum of eight hundred and twenty seven pounds of tobacco, and Costs of Suite against him which the said Esch doth not gain say.

Therefore it is Considered by the Justices here the Nineteenth day of March And Doin

One thousand seven hundred and twenty two that the said Thomas Darshel recover against the said James Jones as well the sum of eight hundred and twenty seven pounds of tobacco Damages as in form of Court record as also the sum of Two hundred and forty nine pounds of tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suite in this behalf said out and Expended and to pay in money &c.

Robt Martin } COMMAND waq into the Sheriff of Somerset County that he should take James Jones son  
The same } of Stoney Carish in the County of Somersett Eleator if he should be found in his bailwick and him -  
Should safe keep so that he might have his body before the Justices of his Lordships County Court of Somersett to be hold at Diving Creek the third Tuesday of March there next to answer unto Robert Martin of a plea of trespass upon the Case &c and that the said should not fail &c.

And whereupon the said Robert by Francis Allen his attorney Complainis that whereas the said James the thirtieth day of November And Doin One thousand seven hundred and twenty two at Stoney Carish and County up within the Jurisdiction of this Court was indebted unto the said Robert in Six hundred and forty pounds of tobacco for divers Sheriffs fees and Coublic dues and for barons thereupon to the said Robert, then and there due being and unpaid as by an ant. thes of the same annexed may in Court appear, and being so thes of indebted the said James in Consideration thes of afterwards to wit the day and year up at Stoney Carish upon him self did assume and to the said Robert then and there faithfully did promise that he the said James, thes of Six hundred and forty pounds of tobacco to the said Robert when he should be afterwards thes unto required, he would well and faithfully pay and Content and all thes to the said James, One hundred and thirty pounds of tobacco Consist of of thes Six hundred and forty pounds of tobacco to the said Robert he hath paid and Satisfied yet as to five hundred and ten pounds of tobacco residue of thes Six hundred and forty pounds of tobacco the said James his promise and assumption up in form up made little regarding but Cloaking and fraudulently Suspend the said Robert in that Carl Craftily and Subtly to deceive and defraud thes of five hundred and ten pounds of tobacco to the said Robert he hath not paid or to him for the same in any wise Contented all thes the same to do the said James by the said Robt on the first day of December in the year up and often afterwards at Stoney Carish and County up within the Jurisdiction up he was thes unto requested but the same to him to pay or in any wise Content hath refused and still doth refuse and deny whereupon the said Robert claim he is worse and hath damage to the value of One thousand and twenty pounds of tobacco and thereupon he brings Suite &c.

1719	James Jones seed	340	Allen	1719	By 25. 5.	190
1720	To 120	115	Contra	1722	Ballance due	510
1721	To 120	109				640
1722	To for baron doct	76				
Nov 30		640				

Errors Excepted from Robt Martin -

All which said third Tuesday of March to wit the Nineteenth day of the same month And Doin One thousand seven hundred and twenty two being the day of the return of the said writ Comd the said Robt.