

By Thomas Cary } Command was given to the Sher. of Somersett that he should take Thomas Laws, George
The Bishop of Sandwiche } Borman son. Thomas Dashiell of many, John Jones, William Stoughton and Capell
Carish } King late of Somersett Carish Gent. Vestry men of the said Carish and William Saffor
and Underwood Rector late of the said Carish Church Wardens thereof if they should be found in his
Belief and them should safe keep so that he might have their Bodies before the Justices of his Lordships County
Court of Somersett to be hold at Doding Creek the third Tuesday of June then next to or four unto Thomas Cary
of a plea of his case upon the case &c and that those of the should not fail &c

And the said Thomas Cary by Lewis Gale his attorney proceeded against the said Thomas Laws George Borman
son. Thomas Dashiell of many John Jones Wm Stoughton Capell King Wm Saffor and Underwood Rector in
the plea as follows viz
Somerset County sh. Thomas Laws George Borman son. Thomas Dashiell
of many John Jones William Stoughton and Capell King late of Somersett Carish Gent. Vestry men of
the said Carish and William Saffor and Underwood Rector late of the said Carish Church Wardens thereof
of was attached to answer unto Thomas Cary of a plea of his case upon the case &c

And whereupon the said Thomas by Lewis Gale his attorney complains that whereas the said Cary and
Church Wardens the thirtieth day of August Anno Domini One thousand seven hundred and twenty three in their
said Carish were at Somersett Carish sh in the County of within the said Jurisdiction Indebted unto the said
Thomas four thousand five hundred pounds of tobacco for the said sum, received by the Vestry men and Church Wardens
of the said Carish of the said Cary for the use of the said Cary applied towards defraying of Carish Charges and so
thereof being Indebted the said Thomas Laws George Borman son. Thomas Dashiell. John Jones. Wm Stoughton
Capell King William Saffor and Underwood Rector the day and year aforesaid at the Bar of the said Jurisdiction
in consideration thereof upon themselves assumed and to the said Cary them and their heirs fully promised that the said
sum of four thousand five hundred pounds of tobacco when afterwards the said Cary should of the Vestry and Church
Wardens of the said Carish request it, by them to the said Cary it should be paid and contented Nowell before the said
Thomas Laws George Borman son Thomas Dashiell John Jones William Stoughton Capell King Wm Saffor and
Underwood Rector Vestry men and Church Wardens as aforesaid their promise and assumption aforesaid in form aforesaid made
Little regarding But plotting and fraudulently Intending the said Thomas Cary in that part to defraud and deceive
the said sum of four thousand five hundred pounds of tobacco or any part thereof to the said Thomas (altho' the said
Thomas Laws George Borman son. Thomas Dashiell John Jones William Stoughton Capell King Wm Saffor
and Underwood Rector was therunto requested afterwards to wit the fifth day of June One thousand seven hundred
and twenty three at Somersett Carish sh within the said Jurisdiction but he not paid or in any wise contented but they
and every of them the same liketh to pay or in any wise content have altogether refused and still doth refuse whereby
the said Thomas says he is the worse and hath damage to the value of Nine thousand pounds of tobacco and there-
of he brings his suite &c Lewis Gale Quer. Edger & Indue. Rich. Roe

A copy of the foregoing declaration was made and sent with the Writ in the County of
At which said third Tuesday of June to wit the Eighteenth day of the same month Ann. Dom. One thousand
seven hundred and twenty three being the day of the return of the said Writ Com. the said Thomas Cary by his attorney
aforesaid and the Sher. of Somersett County to whom the foregoing was directed Likewise Com. and water return
(Hereof)