

And whereas the same Robert by Wm. Fagwell his attorney Complaineth that whereas the said Naomi the twenty second day of March and Dowd One thousand Seven hundred and twenty two at Stogray Parish in the County of Wilm<sup>r</sup> the Jurisdiction of this Court was Indebted unto the said Robert in the quantity of Five hundred pounds and Eighty Six p<sup>ts</sup> of tobacco for Stand: dues as by an ant<sup>o</sup> thereof with in to Court Brought may appear and Being volent of Indebted the the same Naomi in Consideration thereof upon her self assumed and to the same Robert then and there faithfully promised that she the same Naomi the said Five hundred and Eighty six pounds of tobacco unto the same Robert when she should be afterwards thereunto required would well and truly Content and pay Moreover the said Naomi her promise and assumption of in sum of made Little regarding but mindfully and fraudulently Intending the said Robert in this Court Casually and Subtly to deceive and defraud the said Five hundred and Eighty Six pounds of tobacco or any part thereof unto the same Robert altho' the same Naomi by the same Robert at the Parish and County of Wilm<sup>r</sup> the said Jurisdiction the three and twentieth day of March and Dowd One thousand Seven hundred and twenty two hath been required - hath not paid but the same to him hitherto, to pay hath refused and shall do the refuse to the damage of the said Robert Eleven hundred and Seventy two pounds of tobacco and thereof the Brought Subject.

Fagwell of Law 16<sup>th</sup> July 1723 Doc p 12<sup>th</sup> Noe

|          |                                  |      |
|----------|----------------------------------|------|
| Attached |                                  | DC   |
| 1719     | Naomi Shiles                     | 170  |
|          | So Lewis                         | 150  |
|          | So M <sup>r</sup> Samuel Hopkins | 320  |
|          | So M <sup>r</sup> Bondley        | 33   |
| 1720     | So M <sup>r</sup> Bondley        | 115  |
|          | So Lewis                         | 30   |
|          | So City                          | 165  |
|          | So M <sup>r</sup> Bondley        | 50   |
| 1722     | So M <sup>r</sup> Hopkins        | 43   |
|          | for balance of 8 <sup>th</sup> C | 1076 |

Contra

1719 By M<sup>r</sup> George Dabole ... 170

By Benj<sup>o</sup> Cotton Adam Gibb July 1723 320

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490

NOTS Excepted of me

Robert Martin

At which said third Tuesday of June to wit the Eighteenth day of the same month and Dowd One thousand Seven hundred and twenty three Being the day of the Return of the said Writ Com<sup>o</sup> the said Robert Martin by his attorney afo<sup>r</sup> and the Sherrif of Sommersett County to whom the foregoing Writ was directed Likewise Com<sup>o</sup> and makes return thereof to the Court here Endorsed in these words viz Copy Answered for M<sup>r</sup> Carter the

Whereupon the said Naomi Shiles at the Crayn of the said Court is adjudged to give Special Bail to the action afo<sup>r</sup>. Whereupon afo<sup>r</sup> said Alice Shiles of Sommersett County Esquire heron Court under takes for the said Naomi Shiles that in case the said Robert Martin shall recover Judgment in the Law afo<sup>r</sup> against the said Naomi Shiles or that the said Naomi Shiles shall be therein convicted, that then she the said Naomi Shiles shall pay the Condemnation of the Court thereupon or tender her Body to the Custody of the Sherrif of Sommersett County in Satisfaction thereof or that she the said Alice Shiles will do it for her

Whereupon the said Naomi Shiles by Lewis Gale her attorney Com<sup>o</sup> and defendeth the force of Injury where afo<sup>r</sup> and says that she cannot gain say her action afo<sup>r</sup> is as afo<sup>r</sup> against her Brought nor can she say but that the said Court ought to recover her damages by Omission of the promises afo<sup>r</sup> to the State