

And the said John Anderson in his own proper person comes and defends the force and injury when & and prays leave to impale hereunto until the next Court and he hath it and the same day is given to the gift also

At which said next Court to wit the Eighteenth day of June then Done One thousand seven hundred and twenty three comes again the said Robert Martin by his attorney & prays that the said John Anderson to his declaration in the plea & may answer But the said John Anderson altho' solemnly called comes not but makes default whereby the said gift remains against the said deft thereof undefended - for which the said Gift his damages by reason of the garnishes & against the said John Anderson ought to recover - Whereupon at the prayer of the same Gift the Justices here according to act of assembly in that behalf made & provided do assess the damages of the same gift besides his Costs and Charges by him about his Suit in this part sustained to four hundred and sixty pounds of tobacco

Therefore it is Considered by the Justices here the same day and year last mentioned that the said Robert Martin Recover against the said John Anderson as well the sum of four hundred and sixty pounds of

(290) Certain damages & in form & as aforesaid as also the sum of Two hundred & Eighty pounds of tobacco by the Court here and judged unto him for his Costs and Charges by him about his Suit in this behalf said out and Expended and the deft in Mercy &

The same } Sommersett County ss: John Newsham of Stegney Parish in Sommersett County planter was attached
vs: John Newsham } to answer unto Robert Martin of Aglea of trespass upon the Gift

And whereupon the said Robert by Francis Allen his attorney Complains that whereas the said John the thirteenth day of November then Done One thousand seven hundred and twenty two at the Parish and County aforesaid - within the Jurisdiction of this Court was indebted unto the said Robert in four hundred and Eighteen pounds of tobacco for Services and forbearance thereupon to the said Robert then and there due owing and unpaid as by an account thereof hereunto annexed may in Court appear and being so indebted the said John in Consideration thereof afterwards to wit the day and year aforesaid at the place aforesaid upon himself did assume and to the said Robert there and there did faithfully promise that he the said John the said four hundred and Eighteen pounds of tobacco to the said Robert when he should be thereunto requested he would well and faithfully pay and Content Never shall the said John his promise and assumption & in form aforesaid make Liable regarding but plotting and fraudulently Intending the said Robert in that Court Craftily and Subtly to deceive and defraud the said four hundred and Eighteen 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 wit the said John by the said Robert on the first day of December in the year aforesaid and often afterwards at the parish and County aforesaid within the Jurisdiction aforesaid he was thereunto requested but the same to him to pay or in any wise to Content hath refused and still doth refuse and deny whereupon the said Robert saith he is wronged and hath damage to the value of Eight hundred thirty and six pounds of tobacco and thereupon he brings Suit

1719	To Lewis	2170	170
1720	To do		115
1721	To do		109
1722	To fulmaria	2800	24
			<u>418</u>

Contra

1722. Bate: Due - 418

Errors Deleted from Robt Martin