

March Court — 1724 — 11

The County of within the Jurisdiction of this Court was Indebted unto the said John Bitts in the Sum of Nine hundred and Seventy pounds of Tobacco for divers goods wares & Merchandises to him sold and delivered and so thereof being Indebted the said Thomas in Consideration thereof afterwards to wit the day and year aforesaid at the County aforesaid within the Jurisdiction aforesaid upon himself assumed and to the said John Bitts then and there faithfully promised that he the said Thomas the said Nine hundred & Seventy pounds of Tobacco to the said John Bitts when afterwards he should be thereunto Requested he would well and faithfully content & pay Nevertheless the said Thomas sayfeild his promise and assumption aforesaid in form aforesaid made Little regarding and plotting and fraudulently Intending the said John Bitts in that part craftily and Publicly to defraud & deceive the said Nine hundred & Seventy pounds of Tobacco or any part thereof the said John Bitts at this afterwards to wit the tenth day of June Seventeen hundred & twenty three at the County aforesaid within the Jurisdiction aforesaid was thereunto Requested hath not paid him for it, in any wise contented to the Damage of the said John Eighteen hundred pounds of Tobacco Tobacco and thereof brings this Suit &c. I Galt of Quod Bledges &c. &c. &c.

And the said Thomas sayfeild in his own proper person Cometh and Dependeth for the force and Injury when &c. and prayeth Leave to Dispute here unto until the next Court and he hath it and the same day is given to the said John Bitts also

At which said Next Court to wit the sixteenth day of March in the said One thousand Seven hundred & twenty four came againe as well the said John Bitts by his attorney aforesaid as the said Thomas sayfeild in his own proper person, and the said Thomas sayfeild saith that he cannot gain say the action aforesaid of the said John Bitts, so as aforesaid against him brought, nor can he say but that the said John Bitts Ought to Recover his Damages by Conversion of the premises aforesaid to Nine hundred & Seventy pounds of Tobacco & Costs of Suit against him which the said John Bitts doth not gain say &c.

Therefore it is Considered by the Court here the same day and year last mentioned that the said John Bitts Recover against the said Thomas sayfeild as well the Sum of Nine hundred and Seventy pounds of Tobacco his Damages aforesaid in form aforesaid as also the Sum of three hundred and two pounds of Tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suit within which he hath paid out &c. &c. &c. the said Thomas sayfeild in Money &c.

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Robert Maroub } Somerset sh: Daniel Burgin late of Somerset County planter was -
Daniel Burgin } attached to answer unto Robert Maroub of a plea of trespass upon the
Case &c. And whereupon the same Robert by Jesse Gale his attorney Complaines that whereas the said Daniel the tenth day of June Seventeen hundred (and)