

Novemb. Court ---- 1726 ---- 195

That a certain Benjamin Sturge late of Somerset County was indebted unto the same Thomas in the Sum of twelve hundred pounds of tobacco for which Sum the same Thomas did intend to sue and implead the same Benjamin for the said Sum of twelve hundred pounds of tobacco on the eighth day of February and Dow. One thousand Seven hundred and twenty five sic at annamepeg in Coventry parish within the Jurisdiction of this Court the said Richard did upon himselfe a pume and promise that the said twelve hundred pounds of tobacco he would well and truly content and pay when thereto requested, Nevertheles the same Richard his promise and assumption afd in form afd made Little regarding but Intending him the same Thomas to defraud and Deceive the afd Sum of twelve hundred pound: of tobacco unto the same Thomas tho. After thereto requested he hath not paid but the same to pay hath denyed and shie doth deny to the Damage of the said Thomas of two thousand four hundred pound: of tobacco and thereof he bringeth suite - Dashed ff Dow. pledge, J. Doe Rich Roe -

And the said Richard Waters by Leon Gale his attorney Cometh and defendeth the force and Injury when e^d and praye Leave to Judge hereunto until the next Court and he hath it and the same day is given to the afd plaffe here also _____

All which said next Court to wit the twenty first day of June Ann^o Dow One thousand Seven hundred and twenty sic came againe as were the afd Thomas Bannister as the afd Richard Water. by their attorney afd and the said Richard by his said attorney praye further Leave to Judge hereunto until the next Court and he hath it and the same day is given to the afd left also _____

All which said next Court to wit the sixteenth day of August and Dow. One thousand Seven hundred and twenty sic came againe as were the afd Thomas, as the afd Richard by their attorney afd and thereupon the said Richard by his said attorney as before Defends the force and Injury when e^d and praye Judgmt. of the declaration afd because he says that the declaration afd and the matter in the same contained are not sufficient in the Law the action afd of the afd Thomas against him the said Richard to have and maintain and that the said Richard to that declaration hath noe need nor by of law of the land is bound in any way to answer and this he is ready to verify wherefore for want of a sufficient Declaration in that part the said Richard praye Judgmt. and that the Declaration may be quashed e^d and for Cause of Demurer in law upon the Declaration afd e^d the said Richard to the Court here shews these Causes following viz^t that