

same Dor. hath not paid nor bin for it in any wise contented altho the same to doe Mr Henry aft: :wards to with the tenth day of Novemb and Dow one thousand seven hundred & twenty six at the county of within the said Jurisdiction by the same Dor. was requested but the same Henry the same hitherto to the same Joseph to pay or bin for in any wise ^{to} contented hath altogether Refused and still doth refuse whereby the same Joseph says he is w^ore and hath damage to the value of five thousand pound of tob^o and thereof he brings this Suite &c

W^oth the said pledgee & Indoe Kildroe

And the said Henry Smith by George Dashiell his attorney comes and defendeth the force and injury when ^{the} ~~the~~ and prayeth leave to discharge hereunto untill the next Court and he hath it and the same day is given to the said ~~the~~ here also &c

At which said next Court to with the fifteenth day of November and Dow One thousand Seven hundred and twenty six came again as well the said Joseph M^r Garter as the said Henry Smith by their attorneys ^{and}, and whereupon the said Henry Smith by his said attorney pray further leave thereof to discharge hereunto untill the next Court and he hath it and the same day is given the said ~~the~~ here also &c

At which said next Court to with the twenty first day of March and Dow One thousand Seven hundred and twenty six came again as well the said Joseph M^r Garter as the said Henry Smith by their attorneys ^{and}, and whereupon the said Henry Smith by his said atty pray further leave thereof to discharge hereunto untill the next Court & he hath it and the same day is given the said ~~the~~ here also &c

At which said next Court to with the twentieth day of June and Dow one thousand seven hundred and twenty seven came again as well the said Joseph M^r Garter as the said Henry Smith by their attorneys ^{and}, and whereupon the said Henry Smith by his said atty pray further leave thereof to discharge hereunto untill the next Court and he hath it and the same day is given the said ~~the~~ here also &c

At which said next Court to with the fifteenth day of August and Dow one thousand seven hundred and twenty seven came again as well the said Joseph M^r Garter as the said Henry Smith by their attorneys ^{and}, and whereupon the said Henry Smith by his said atty pray further leave ^{thereof} to discharge hereunto untill the next Court & he hath it and the same day is given the said ~~the~~ here also &c

At which said next Court to with the ~~twentieth~~ first day of Novemb and Dow one thousand Seven hundred and twenty seven came again as well the said Dor: M^r Garter as the said Henry Smith by their attorneys ^{and}, and the said Henry Smith by his said attorney as before defendeth the force and injury when ^{the} ~~the~~ and saith that the ~~the~~ his action ^{and} against him to have ought not because he saith that according to an Act of Assembly of this Province