

March Court . . . 1727 32 . . .

or any part thereof to the same Benj. he hath not paid or him for it in any wise contented -
altho the same to do the afo. afterwards viz. on Monday and Tuesday at County afo
and within of afo Jurisdiction by the same Benj. was requested but he the same hitherto to
do hath altogether refused and still doth refuse whereby the same Benj. sayeth he
wore and hath Damages to the value of fifteen hundred pounds of tob. and thereof
he brings this Suit

John Allen of Mattagony

Levin Gale Clerk of the Peace for the County of Somerset

1713 To 1000th fees

360

Having Errors

To 14 year Interest

350

Benj. Wailes

December 1727

710

A Copy of the foregoing Declaration and amount were made and sent to be served
on the defend. with the writ in the plea afo.

Att which said third Tuesday of March

to wit the nineteenth day of the same month and Dow. One thousand Seven hundred and
twenty seven being the day of the Return of the said writ Cometh the afo Benj. Wailes by
his attorney afo and the Clerk of Somerset County to whom the foregoing writ was directed

Subscribed Cometh and maketh return there of to the Court here Endorsed in these words following
viz -

Copy of the Declaration delivered in time of Francis Allen filed

And the afo John Allen by George Dashiell his attorney takes and defends the force and
Injury when the said Benjamin Wailes by his attorney afo says that the afo John
Allen to his Declaration afo may answer, whereupon the afo attorney of the afo John Allen
says that he is not Informed by the same John his Agent of any answer for the same due
to the afo Benjamin in the plea afo to be given, and nothing else thereof says by which the
same Benjamin Remains against the afo John the afo Undecided.

Wherefore the same Benjamin his Damages by Occasion of the Non performance
of the promise and assumption afo against the afo John ought to recover but because it
is not known what Damages the afo Benjamin hath sustained by Occasion of the non-
performance of the promise and assumption afo - Command is given to the Clerk of
Somerset County that by the Oaths of honest and Lawfull men of his Bailiwick and County
he diligently Enquire what Damages the afo Benjamin ^{has} sustained as well by Occasion of the
non performance of the promise and assumption afo as for his Costs and Charges by him about
his Suit in that part Expended and the Inquisition which thereof he should take to his Lordships
Justices at the next Court to be hold for the County afo the third Tuesday of June next he make
appear under his Seal and the Seals of those by whose Oaths he makes the same Inquisition,
and leave ~~in~~ them and there the names of them by whose Oaths he makes the same Inquisition
and the same Day is given to the afo Clerk here also.