

have not paid or contented altho' the same to do the sd Walter in his life to witt on the  
 aforesd twenty fifth day of December in the year aforesd and y<sup>e</sup> aforesd James on the  
 thirtieth day of July Seventeen hundred & thirty four & after afterwards at the County  
 aforesd by the sd Joshua they were thereunto requested but the same to him hitherto to pay  
 the sd Walter in his life time and the sd James since the decess of the sd Walter have  
 refused and the sd James since the decess of the sd Walter the same to the sd Joshua to pay  
 still doth refuse and deny to the damages of the sd Joshua of three thousand four hundred  
 pounds of Tobacco and thereupon he brings Suite v<sup>t</sup> . . . . . Pleas: de ff<sup>e</sup> John Doe  
 1731 Mr. Walter Jacobs . . . . . Contra ff<sup>e</sup> . . . . .

To 2 Levies @ 85 ff <sup>e</sup> i	170	Error Excepted ff <sup>e</sup> me ff <sup>e</sup> Caldwell
To 6 ff <sup>e</sup> i	12	
To Clark ff <sup>e</sup> i	35	This day came before me y <sup>e</sup> Subscriber one of his Lordships Justices of y <sup>e</sup> Peace for Somerset County Joshua Caldwell and made oath on the holy Evangelist of Almighty God that the above account w <sup>ch</sup> stands stated by y <sup>e</sup> several officers w <sup>ch</sup> put into his hands to collect are just and true and that he hath not received any part or parcels thereof more than credit is given for nor any Security nor satisfaction for y <sup>e</sup> same nor any person for his use to y <sup>e</sup> best of knowledge Sworn before me this 5 <sup>th</sup> day of November 1734 - Mitchell Dashiell
To Execution ff <sup>e</sup> i	200	
1732 To 4 Levies @ 105 ff <sup>e</sup> i	420	
To 12 ff <sup>e</sup> i	24	
To Clark ff <sup>e</sup> i	7	
To Intrest i	32	
1733 To 5 Levies @ 101 1/2 ff <sup>e</sup> i	50 1/2	
To 15 ff <sup>e</sup> i	30	
To Clark ff <sup>e</sup> i	32	
To Mr. Douglas ff <sup>e</sup> i	200	
To Intrest i	72	
	<u>174 1/2</u>	

Whereupon the aforesaid James Dashiell dem<sup>r</sup> of Walter Jacobs by Robert Jonckins  
 Henry his attorney cometh and defendeth the force and Injury when v<sup>t</sup> and prays leave  
 thereof to Imparle hereuntil next Court and he hath it and the same day is given to the  
 aff<sup>e</sup> Joshua herealso v<sup>t</sup> . . . . . All which said next Court to witt the thirtieth day of  
 June Ann<sup>d</sup> Dom One thousand Seven hundred and thirty five came againe as well the  
 aff<sup>e</sup> Joshua Caldwell as the aff<sup>e</sup> James Dashiell dem<sup>r</sup> of Walter Jacobs by their attorney  
 aforesaid and thereupon the said Joshua praye that the aforesaid James to his declaration aforesaid may an-  
 swer but the same James altho' solemnly called cometh not nor the same attorney of the aforesaid  
 James, for him the same James nothing thereof says in Answer or production of the action of the aff<sup>e</sup> Joshua  
 by which the same Joshua Remaineth therof against him undefended. wherefore the same Joshua his damages  
 by omission of the non performance of the promise and assumption of against the aff<sup>e</sup> James admit as aff<sup>e</sup>  
 ought to recover but because it is not known what damages the aff<sup>e</sup> Joshua hath sustained by omission of  
 the non performance of the promise and assumption of It is Comanded the Sheriff of Somerset  
 County