[illegible] the said David did and delivered as p his account particular thereof hereunto annexed and hereunto Court being whose date is act after more p[ar]tcularly appeared and the said David being indebted as aforesaid in consideration thereof he did assume upon himself and to the said Johnsons and Company faithfully did promise that he the said David Macall the aforesaid sum of two thousand [illegible] pounds of tobacco when as shore and there unto required unto the said John Purvis and Company would well and truly satisfy content and pay yet nevertheless the said David Macall the aforesaid sum of 2970 tobacco according to his faithfull promise and assumption aforesaid he hath not so did but altho: the said David in part thereof hath paid the sum of four hundred fifty eight pounds of tobacco yet as to the sum of two thousand five hundred and twenty pounds residue and balance the same two thousand five hundred and twenty pounds of tobacco unto the said John Purvis and Company he hath not paid altho to the same at Dorchester County the twelfth day of November anno dni 1703 he was thereunto requisite but the same totally he hath denyed and still do he deny and refuse wherupon the said John Purvis and Company saith they are damnified and sued out 5000 tob and thereupon they bring this suit Hick pro p[laintiff] pd p[ed] pt Jeremiah Dr. Ha

October y[e] 2d 1699: Sold to Mr. Macallo for the Rectorn the ar aff[ore]s of bacon No. 7: 448, 9 yds p[ur]ple Cotton at 14 s[hillings] yd 126, 2 lbs Sauce p[ep]p[er] and lbs. ow p[ou]nd Salt 40 ow p[ou]nd wound Salt 30, 14 Doory knives 48, 4 fishing q[ua]r 72, two Alamode coloured No. 2 at 7 s[hillings] p[ie]c[e] 168, 2 yds Blue Kersey 16 one brass Skillet and frame 54, one g[ra]ted Iron one 40, one black coloured 84 one d[itto] 84, 2 yds p[ur]ple Holland 36, one p[ie]c[e] of blue linnen 26 yds at 12 182: 2 doz pints 20: 6 Cash combs 24 one Doory comb 8: 3 sheep head knives 24 one p[ai]r of Women gloves 18 one p[ai]r of Holland Duck 35, 420: one p[ie]c[e] of Calamanco Lasts No. 4: 100: one gun my own 400: 12 lbs of Cowrel at 9 p[ence] lb. 108: 10 lbs of Cotton at 14: 140; one p[ai]r of stalls 30: one p[ai]r of women's yarn hose 20 one p[ai]r of women's yarn hose 20 one p[ai]r of women's falls 30 one Court Sessions 9: 5 yds d[itto] Mallet 42: 500: 10 d[itto] 25: 500, 20 d[itto] 40: one Hat No. 8: 60, one fine hair Skeltor at 9 s[hillings] pair 81: 14 Courts at 8 s[hillings] 120: 3 of Soap 30: 5 gr[oss] indigo blows 30: 42 yds dyed linnen 36 July y[e] 15: 10 one whole Cotton No. 12: 98: one p[ai]r of women's falls 25 one p[ai]r mens d[itto] 40: two Cases of Spectacles 32: one sheep head knife and hooks 9: 3 lbs of Cowrel at 9 s[hillings] lb. 27: total 2970 tob: p[ounds] p[ai]d by one bill No. 8: 458: due to balance 2520 Vera Copia Test[ed] Recorded by me J[ohn] Broome Dep[ut]y Cl[erk] first 1703

Then came John Broome before me Jacob Lockerman one of her Majesties Justices of the peace for Dorset County and made Oath up on the Holy Evangelists that

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that the within account is a true Copy of Mr. Robert Armilage and said Company belonging to John Purvis and Company Israel Green and Jacob Lockerman and the said David Macallo by Nicholas Lowe his atty comes and defends the force and injury when &c. and prayeth leave to imparle hereunto which is granted him till next Court the first day in good this said

Which said Court stood continued from the first Wednesday of March 1703 to the first Wednesday in March next following.

Now this day towit March the 11th 1703 Comes at wrong the said John Purvis and Company by John Clerk their attorney as the said David by Nicholas Lowe his attorney and the said Plaintiff prayeth that the Defendant to his Declaration may answer, and the said David by his said attorney comes and defends the force and injury when &c. and for plea saith that he assumpsit ye patiam Lowe defend: and this he puts in his Answer: Hick: Then force Comm and is given the Court of the County that the Court become Bailiff for that within &c. by whom &c. who neither &c. to recognize &c.

And now here at this day to wit March the 11th 1703 Comes at wrong the said John and Company by their said attorney as the said David by his said attorney and the Jurors hereon impannelled being called thereupon: Edward to wit Thomas Hooper, Edward Hooper, Lewis Jones, Henry Tryon, George Stapleford, Matthias Allford, Charles Thompson, Nicholas Phillips, John Dowdney, Henry Beard and Arthur Smith who being each the twelfth commoning the Jury being elected tried and sworne upon their Oathes do say we of the Jury do find for the plaintiff &c. assessing in of which said damage at 2970 the said David by his said attorney prayeth that the Judgment may be thereon given with that the same may be stayed and corrected and for inducement therein saith that the said plaintiff is indebted to the said Defendant in a greater sum than the debt sued for and produceth in Court this certain account of particulars praying the same may be read which is done in this form viz: Mr. Robert Armilage Factor of Mr. John Purvis and Company in Dr. to Mr. David Macallo Dr. July y[e] 25th 1699 to a voyage over the bay 16 days attendance at 20 p[ounds] day 320 July y[e] 20th 1699 four days attendance my Self and horse at 40 p[ounds] day 160 July y[e] 20th 1700 to a voyage over the bay my Self and one hand and shallop four days 280: Oct. the 6th to a voyage over the bay at 200 p[ounds] voyage 400 ye 12th for days attendance of one hand at 20 p[ounds] day 100 Oct. y[e] 22d 1700 for days d[itto] at 20 p[ounds] day 100 Oct. y[e] 27th 1700 four days attendance my shallop and two hands 280 Oct. y[e] 29th 1700: 12 fowl at 12 p[ounds] fowl 120 March y[e] 29th 1702 to a voyage over the bay 5 days attendance my Self and shallop and one hand 350 April the 6th 1701 to 5 days attendance my Self and my shallop and one hand 490 April the 6th 1701 to 6 barrels of 450 p[ounds]. April the 6th 1701 to tobacco for 900 totals 3950, Deduct Credit p[ounds] the mark of David M Macall, Upon which said Account and arrest of Judgment and hearing the account the Court do adjudge that the Defendant

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