Queen Anns County Court John Bock & made Oath upon the Holy Evangels of Almighty God that the Weights of Several the above hdsd Tobacco weighed by him by order his Master Mr Rich. Bennett are just & true & that the Weights of other hdsd of Tobacco being weighed by Others of this Said Masters Servants he does believe to be true being Taken from his Masters Beckhept for Such Occasion

And thos. Richard Bennett does also Depose that he never rcvd Any Accounts of Sales for thos. Tobacco nor any Payments or Other Satisfaction for the Same nor for the within Account to the best of his knowledge more than two Pounds fourteen Shillings & one Penny the Ballance Due upon Accounts formerly had from Said Mr. John Peele as Evd. Given on the within Account

Rob.t Wright

A Copy Which Short note was made & Sent with the Writ in the Plea af.

At which Said Second Tuesday of July to wit the 8 Day of the Same Month Anno Domini 1735 being the Day of the return of the foregoing Writ Comes the Said Rich. Bennett Esq.r by his Att.y Saf. And the Sheriff of Ann Arundell County to whom the Same Writ was Directed Likewise Comes & makes return thereof to the Court here thus Endorst Viz.t Non Est Inventus Short note to Effect as John Galloway

Nich. Maccubbin Sheriff

Whereupon thos. Rich. Bennett Esq.r by his Att.y af. Prays that for as much as he has Complyed with the Law in order to an Attachment he may have Judgment against thos. John Poole for his Damages by Occasion of the Promises af. by way of Attachment According to Act of Assembly &c.

Whereupon for that it Seems to the Court here that thos. Rich. Bennett Esq.r hath Complyed with the Law as Alledged & he having made Sufficient Proof of his Damages to the Court here

Therefore it is Considered by the Justices here the Day & Year last Mentioned that thos. Rich. Bennett Recover against thos. John Poole as well the Sum of Four hundred & forty Nine Pounds two Shillings & Eleven Pence Sterling his Damages af. as all Costs & Charges by thos. Rich. Bennett Laid out & Expended about this Suit by way of Attachment Against the Goods Chattles Rights & Credits of thos. John Poole According to the Directions of the Act of Assembly in Such Cases made & Provided.

Test Nicholas Ck

Thos. William Cox } Command was given to the Sheriff of Ann Arundell County that
John Peele } he Should take John Poole late of Ann Arundell County Merch.t
if he Should be found in his Baily wick & him Safe keep
So that he might have his Body before his Lord Ships Justices of the Prov. Court
to be held at Annapolis the Second Tuesday of July then Next to Answer unto
Wm Cox of a plea of Trespass upon the Case And that thereof he thos. Sheriff
Should not fail &c. And thereupon thos. William Cox by Joshua George his
Attorney Declared against thos. John Poole in the Plea af. as follows (Viz.t)
Maryland ss. John Poole late of Ann.e County Merchant was attached to
Answer unto Will.m Cox of a plea of Trespass upon the Case
And Whereupon the Same Will.m Cox by Joshua George his Att.y Complains
that whereas the af. John Poole on the first Day of May Anno Domini
Seven teen hundred & thirty two at Ann Arundell County af. was Indebted unto
the af. Will.m Cox in the just Sum of one hundred & Seventy Two pounds

(Eighteen)

Eighteen Shillings & ten pence Sterling Money of Great Britain it being for money by thos. John to & for the use of thos. William before that time at the City af. had & rcvd as also for Tobacco by thos. William to thos. John before that time there Transported to & for the use of thos. Will.m as by an Account thereof ready to be Produced may Appear And thos. John Poole So thereof being Indebted the Day & Year af. at the County af. upon himself Assumed & to thos. William then & there faithfully Promised that he the s.d John Poole the af. Sum of one hundred & Seventy two Pounds Eight teen Shillings & ten pence Sterling money of Great Britain to thos. William Cox when afterwards he Should be thereunto requested would well & faithfully Pay & Content Nevertheless the af. John Poole his Promise & Assumption af. not regarding but minding & fraudulently Intending the af. William Cox in this Part Craftily & Subtilly to Deceive & defraud the af. Sum nor any Part thereof he the af. Will.m Cox altho afterwards to wit on the Same first Day of May in the Year af. at the County af. & Often afterwards at the Same County he was requested hath not paid but the Same to Pay hitherto hath Altogether refused & yet doth refuse to the Damage of thos. Will.m Cox two hundred & fifty pounds like money And therefore he brings this Suit &c.

Hy. Ridgely Jr. Pl.ff's Atto. & Roe

Which Account mentioned in the foregoing Declaration follows in these Words

Dr. Mr. John Peele Merchant in London ---- Cr.

		£			£
1734 April 20	To Ballance Due to me as p. his Account Current ----	111 . 6 . 10	1734	By my Draught on him when paid but no Acc.t of Payment	is 60
Nov.r 16	To 10 well Prized hdsd Tobacco p. Capt. Dennis ----				
	To Bill Exch. sent you p. Capt. Dennis	14 . 9 . 5			
		£125 . 16 . 8			

Errors Excepted p. Will.m Cox

July 7.th 1735 Then came before me the Subscriber one of this Lord Ships Justices for Cecil County William Cox Merchant and makes Oath that the Above Account Against thos. Mr. John Poole Merchant in London is just & True as it is above Stated & that thos. Will.m Cox hath not Directly nor Indirectly rcvd within Part nor Parcell thereof nor any Security for the Same.

Jurat. Coram me Thos. Johnson Junr.

At which s.d Second Tuesday of July to wit the 8 Day of the Same Month Anno Domini 1735 Being the Day of the return of the foregoing Writ Comes the Said William Cox by his Att.y af. as the Sheriff of Ann Arundell County to whom the Same Writ was Directed Likewise Comes & makes return thereof to the Court here thus Endorst Viz.t Non Est Copy left

Nich. Maccubbin Sher.

Whereupon thos. Will.m Cox by his Att.y af. Prays that for as much as he has Complied with the Law in order to an Attachment he may have Judgment Against thos. John Poole for his Damages by Occasion of the Promises af. by way of Attachment According to Act of Assembly &c.

Whereupon for that it Seems to Court here that thos. Will.m Cox hath Complyed with the Law as Alledged & he having made Sufficient

(Proof)