hath accrued to the said Rich^d and James to have and require of the aff^d Richard Smith the aff^d sum of fifteen thousand four hundred and eighty pounds of tobacco Nevertheless the aff^d Richd Smith at divers times required the aff^d sum of fifteen thousand four hundred and eighty pounds of tobacco or any part thereof to the said Richard Bennet or to either of them which he hath not paid but the same to them to pay hath refused and still doth refuse wherefore they say they are the worse and are damnified to the value of thirty thousand pounds of tob^o wherefore they bring their suit &c. Pl^ffs Jno Dodd Atto^r

And the said Richard Smith Senr by Thomas Dadley Richard Dallam and Mich^l Macnemarahs attorneys Comes and defends the force & injury when &c. and prays leave to imparle hereunto until next Court he shall &c. and the same day is given to the pl^ffs also. At which said next Court to wit the 15th day of July Anno Dom^i 1712 Come again the parties pl^ffs and defend^t by their attorneys aff^d and the defend^t by his said attorney prays further leave to imparle hereunto until the next Court he shall &c. and the same day is given to the pl^ffs also. At which said next Court to wit the 7th day of October Anno Dom^i 1712 Come again the parties pl^ffs and def^t by their attorneys aff^d and the def^t by his said attorney prays further leave to imparle hereunto until the next Court he shall &c. and the same day is given to the pl^ffs also. At which said next Court to wit the 14th day of April Anno Dom^i 1713 Come again the parties pl^ffs and def^t by their attorneys aff^d and the def^t by his said attorney prays further leave to imparle hereunto until the next Court he shall &c. and the same day is given to the pl^ffs also. At which said next Court to wit the 13th day of July Anno Dom^i 1713 Come again the parties pl^ffs and defend^t by their attorneys aff^d and the def^t by his said attorney prays further leave to imparle hereunto until the next Court he shall &c. and the same day is given to the pl^ffs also. At which said next Court to wit the 13th day of October Anno Dom^i 1713 Come again the parties ~~pl^ffs~~ defendant by their attorneys aff^d and the def^t by his said attorney as before defends the force and injury when &c. and saith that he doth owe to the said Richard Bennet & James Heath q^d aff^d fifteen thousand four hundred and eighty pounds of tobacco nor

nor any pound thereof in manner as the said Richard Bennet and James Heath aff^d him above have declared, and of this he puts himself upon the Country &c. But the said Richard Bennet and James Heath altho^o solemnly called come not nor is there writ in the plea aff^d any further prosecuted aff^t the said Richard Smith Senr &c.

Therefore it is considered by the Justices here of the 13th day of October Anno Dom^i 1713 aff^d that the said Richd Bennet & James Heath ~~[illegible]~~ and that the said Richd Smith Senr go thereof without day and that the said Richd Smith Senr recover aff^t the said Richd Bennet and James Heath the sum of [illegible] pounds of tob^o by the Court here adjudged unto him for his costs and charges about his defence in this behalf laid out & expended &c.

Att: Francis Croston — Mary land ss. — Matthew Scarborough of Som^r set County plaintiff late of the Parlament of Jno Custis deceased was attached to answer unto Francis Croston of Taplow of a plea on ye Case &c.

Wit: Matthew Scarborough Esqr
John Custis

And whereupon the same Francis by Edward Hunt his attorney complains that whereas the aff^d Jno Custis in his life to wit the sixteenth day of October Anno Dom^i Seventeen hundred and five at Virginia Virginia and City of Annapolis in the County of Annarundel according to the Customs of Merchants and others of this the province aff^d and the City of London in England of old used made and drew his second bill of Exchange in his proper hand subscribed bearing date the day and year aff^d and thereby directed and by the same bill requested the said John Goodwin at twenty days sight of that his second bill of Exchange his first and third of the same tenor and date not paid to pay unto the aff^d Francis Croston or his ord^r the sum of twenty one pounds Seventeen shill^s and six pence sterling for value of him received, which the aff^d John Goodwin afterwards on the fifteenth day of April Anno Dom^i Seventeen hundred and seven at London aff^d Virginia in Annarundel County aff^d had notice and then and there was requested to pay the said sum of twenty one pounds seventeen shill^s and six pence sterling to the ord^r of the aff^d Francis Croston and the same