

Thomas H. Tindall }
ad'm. }
William Russell }
October }
Term of the }
Superior Court of the }
Territory of Arkansas }
A.D. 1828 }

And the said Thomas H. Tindall by
his Attorney comes and defends the wrong and
injury, when &c, and says that the said William
Russell ought not to have or maintain his aforesaid
action thereof against him, because he says that
the said ~~plaintiff~~ ^{writing obligatory} in the said Declaration of
the said Plaintiff mentioned, was obtained from
the said Defendant by fraud, Covert and misrep-
-sentation, that is to say, by the said Plaintiff falsely
and fraudulently representing to the said Defendant
that a certain tract of land, bounded as follows, to wit:
joining the Arkansas River in the County of
Pulaski in the Territory of Arkansas, being a
part of the South West fractional quarter^{of} Section
thirty six of Township five North of the Base Line,
in Range fifteen West of the fifth principal
Meridian, and divided from the remainder of said
fractional quarter section of land by the North
Eastern Boundary line of a tract of about One hundred
and five acres, lately bargained and sold by said Plaintiff
to one Robert M. Ell. Murry, contained ^{thirty seven} ~~one hundred~~
~~and seven~~ acres, and the said Plaintiff fraudulently
contriving and intending to deceive him the said
Defendant, falsely represented unto him the said
Defendant the number of acres within the above described
boundaries, he the said Plaintiff well knowing at the