

names answered euery man thereunto and likewise said they were all agreed Liber FF

Theire Charge being allowed according to Act of Assembly They then deliuer in their Verdict on the back side of th^e declaracōn in these words following

The Jury finde for th^e Defend^t Non Assumpsit

William Smyth plant } Defend^t according to the Order yesterday [p. 459]
 William Price defend^t } past puts in his plea, alleadging that he hath
 Morecroft p̄ quer̄ a receipt for Nine thowsand pounds of tob^o:
 out of twenty thowsand pounds which the Defend^t acknowledgeth to
 be p^d th^e pft: and w^{ch} was the whole that the defend^t was to satisfie
 the pft as by Agreem^t betweene them made, Whereupon the
 defend^t acknowledgeth Judgm^t to the pft for the remainder of the
 said twenty Thowsand pounds of tobaccoe Which is Eleauen Thow-
 sand due to the pft: p̄ ditto Judgment

Ordered th^e def^t doe Continue in the sherriffs Custody till he satisfie th^e same

Reymond Staplefort } Ordered that the Estate of John Bayley in
 petitioneth th^e Court } the hands of Robert Brooke be secured by
 the sherriffe of Caluert County, That it be not paid away to Bayley
 and that Rob^t Brooke appeare next Court to defend his said Attachm^t
 ag^t the said Estate, and that Reymond Staplefort haue a new At-
 tachm^t ag^t any part of the said Bayleys Estate in any other persons
 hands

The Gouverno^r by a letter to the Chancello^r doth Certifye therein, That he doth Assigne Ouer to Cap^t Josias Fendall for the use of Samuell Cooper that Recognizance of fiftene thowsand pounds of tobaccoe to be paid and satisfied by w^m Price who marryed the Relict of Hugh Lee and forfeited by the said Lee, since which it is to be satisfied by William Smyth who become security for the said w^m Price

The Gouverno^r hauing Obleiged himselfe therein to giue the said W^m Smyth a discharge for the same when by him satisfied as aforesaid

William Smyth plaintiffe } The pft sues the defend^t in a plea of
 Henry Pennington defend^t } Tresspass upon the Case for foure hun-
 Morecroft p̄ quer̄ } dred forty nine pounds of tobacco &
 Caluert p̄ defendant } Caske—The defend^t puts in his plea
 (uizt):

In Nulo est Culpabilis de transgressione praedicta and upon this wee put o^rselues upon Our Country Witt: Caluert