

Per D <sup>o</sup> . . . . to James Waldie on Cargoe acc <sup>o</sup> . . . . .	7: “- “
Per D <sup>o</sup> . . . . to Rob <sup>t</sup> Ungle on Cargoe acc <sup>o</sup> . . . . .	5- “- “
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	732: 10- 9
Per Ballance due to me	344: 19: 3
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	<u>£1077-10- 0</u>

Errora Salvo

May the 2<sup>d</sup> 1716

James Crooke

8<sup>th</sup> May 1716

Then Came the above named James Crooke before me Samuel Young Esq<sup>r</sup> one of his Lordships Justices of the Provincial Court and made oath on holy Evangelist of Almighty God that the above account is Just and true and that he has recd no part nor parcell thereof more then what he has above given Credit for Sworn to the day and year above s<sup>d</sup> before me

Sam<sup>t</sup> Young

[338] Whereupon the said defendant prays Judgment and that the Jurors afores<sup>d</sup> their Verdict of and upon the premisses may render. Thereupon the said John Hyde by his Attorney aforesaid Saith that the said Account So in evidence given and the allegations afores<sup>d</sup> alledged are not Sufficient in law to maintain the Issue Joyned for the defendant, to which the plaintiff needeth not nor by the laws of the land is holden to answer, wherefore for default of Sufficient evidence in this behalf the said John Hyde demands Judgment that the Jurors aforesaid of giving their Verdict be Discharged etc. And that his Damages by occasion of the non performance of the promise and assumption aforesaid in the aforesaid Declaration mentioned may be to him adjudged etc.

And the aforesaid James Crooke for that he hath above Shown in Evidence to the Jurors aforesaid Sufficient matter in law to maintain the Issue aforesaid on the part of the same James Crooke which he is ready to Verefie, which matter the afores<sup>d</sup> John Hyde hath not Gainsayed, nor to the same in any ways answered, but the Same Verefication to admitt altogether refuses, prays Judgment, and that the afd John Hyde from having his action aforesaid ag<sup>t</sup> him, may be barred; and that the Jurors aforesaid from rendering their Verdict upon the Issue aforesaid may be Discharged etc.

Whereupon the Jurors aforesaid from rendring any Verdict thereon by the Court here of the Consent of the parties aforesaid are discharged. And because the Justices here as yet are not advised of the rendring their Judgment of and upon the premisses, day thereof is given to the said parties plaintiffs and defendants to hear thereof their Judgment untill etc. for that the said Justices as yet are not etc.

And now here afterwards to Witt the 11<sup>th</sup> day of May Anno Domini 1716