

answered that he wou'd willingly Accomodite S^d Matter and S^d Since he the Said Compl^t had Offered 50£ he would abate 50£ of his demand, it being 150£ w^{ch} the Said Compl^t refus'd And the Said Dep^t further Saith that he beleives the Letters Markt N^o 4 are true Copys of the Originall thereof. And further Saith not

Charles Carroll Esqr being Sworne at the req^t of the Def^t) Saith that at the time M^r Sam^l Chambers was on his Examination being askt the Question w^t the Compl^t owned upon the Said Examination Saith that According to his Conception the Compl^t did owne that at the time [418] Mentioned in the Said Dep^o he told him M^r Brice he wou'd pay no tob^o in those parishes before the Note drawn by M^r Wooten payable to Jones and Chambers Should be paid and further Saith not.

M^r Benjamin Welsh being one of the people Called Quakers Solemnly declares in the presence of Almighty God that in the year 1711 he owed for Sheriffs dues 731th tob^o and that the Def^t nor any other by his order to the best of this Dep^{ts} knowledge ever Demanded the Same of him and that if he or they had demanded it and at a time that his Tob^o had not been Dispos'd of he this Dep^t would have Complied or Given an Oblig^a for the Same. And be askt by the Def^t whether he wou'd pay Such part as was due for the 40 per poll Saith he Should not make any Scruple to pay it w^{thou}[t] Execution, And does not Remember that the Compl^t or any by his Order required him to Get any Tob^o ready for the Def^t And further Saith not

Vachel Denton being Sworne (on the part of the Def^t) Saith That to the best of his knowledge the writ Sued out on the Sherr^s bond against the Compl^t and his Suretie Issued Feb^y the 4th 1714 Returnable to Aprill Court 1715 and that the Same Continued untill Sep^t Court 1716 At w^{ch} Court further time was given to the Compl^t to file his Rejoynd^r by the 25th of Nov^r following, And for Default of the Compl^{ts} rejoyning to the Def^{ts} Replication by that time a Judgm^t was given ag^t the Compl^t for the Penalty of Said bond as of the Said Sep^t Court, And that And that [sic] the Dep^t knows the Secretarys fees on the Said Action was Charged to the Def^t, and beleives the Sherr^s fees were Charg'd to the Same Defendant.

Mem^d the Def^t produces the Acc^t N^o C as the Acc^t Shew'd by him the Compl^t for the foundation of his Claim out of his Sheriffs bond.

M^d Alledged by the Defend^t that M^{rs} Price being sick [419] Could not be heard at this time to be Exam^d Therefore its agreed by the Compl^t that She be Exam^d at some other time.

M^d the Defend^t further alledges that Cap^t Dan^l Mariartee heard the Compl^t Say at the time of the Execution of this Comⁿ that the Def^t wou'd always have his Tob^o who Ever went w^{thou}t theirs but the Said Daniel Mariartees Dep^o to the truth thereof Could not be taken there being no other Commissioner present but one Save himself. *M^d* the Compl^t alledges that Col^o Edward Lloyd and Col^o Young are Evidences for him in this