

no therefore Sumner was given to the Sheriff of this County to bring here two lawfull men of his shire who that the matter might be the better known. & List whose of are as followeth viz
 John Emmott. John Smoot. Wm. Eason. Wm. Wells. Miles Gray. Edward Davis. Henry Hudson son. Ga. Langrell.
 Lawrence Crawford. Thomas Hobbs. Henry Miles. Robert Catlin. who being legally summoned and duly sworn upon the holy Evangelists, were having heard the declaration plea & reply, and also the Oath of the Evidence who were duly examined. & advised their Charges and are sent forth.

Jno: Bishop senior
 Tho: Selby Junr.
 Cap: Sam: Showall.
 Wm: Richardson.
 Tho: Catlin sworn for doft.
 being sworn in Court.

The aforesaid Jury being this day returned in Court being called over plurimary
 & the wife the plea and doft. called. the Jury given in this following verdict
 (1691) That the Jury find no cause of action. — John Emmott foreman.

This Court confirmed the verdict and ordered to rule the same ut supra.

Angell: Richard M. Esq.
 Entry
 James: Brookshaw Esq.

Comptrol: Emory Jr. James: Brookshaw of this County was
 attached to answer unto Angell: Richardson of a plea of
 trespass upon the Case. &c. &c.

In the year of our Lord 1689. at Montean within the Jurisdiction of this Court was indebted to the sd Angell in
 the sum of four hundred Pounds of Tobacco being for so much by the sd Angell to the sd James but sd James
 and the said James to the sd Angell in manner aforesaid being indebted did assume upon himself and to the sd
 Angell then and there faithfully promise that he the sd James the sd sum of Tobacco to the sd Angell when
 he should be thereunto requested would well and truly Content and pay. Notwithstanding the said James his promise
 and assumption aforesaid not regarding but minding and fraudulently intending him the sd Angell in this behalf
 to detain and defraud the sd sum of four hundred Pounds of Tobacco to the sd Angell hath not paid although
 often demanded, but hath hitherto refused, and doth still refuse to the damage of the sd Angell of 800: Pounds
 of Tobacco and thereof he brings his suits &c.

Wm: Eason sworn in Court for pl.
 Court of Rec. Blog: &c. Jno: Do: King: Rec

The defendant says that there was a legal tender of payment at Wm: Houtens store for the moiety of the
 the of Tobacco due to the pl. so that there is no cause of action, being it removed within the Compass of a
 legal tender suit, and that he pleads in barr of the action. Ga: Langrell.

The matter in hand being totally referred to this Court. (where ordered) if doft: Brookshaw. to pay 400^l.
 3: Evid^s sworn to attend.

In his deposition of Thomas: Binson & howeth that he lived 11: days on an action depending. Angell
 Richardson pl and James: Brookshaw doft on the part of the pl, and therefore humbly Craved an Order
 for 7^l saved. Sworn in Court before me. Samue: Hopkins.
 Jno: Huffs. made Oath in Open Court that he had attended eleven days on the behalf of Angell: Richardson pl of
 James: Brookshaw doft. sworn before Jno: King.