

February 12. 1696

Cap. John: Wiltmington p<sup>t</sup> } Prior failed agt the d<sup>t</sup> being made known & returned  
John: Swain. d<sup>t</sup> } the sd Swain being three times taller, but no appearance  
the Court Ord. Execution. vide Francis & Charles p<sup>r</sup>

John: Congleton. p<sup>t</sup> } Thomas: Hobbs of this County Taylor  
Thomas: Hobbs. d<sup>t</sup> } was attached to answer unto John: Congleton of a plea of  
trespass upon the Case. et.

And where upon the sd John: by his Counsel & Attorney saith that the said John: the 10. day of June  
in the year of our Lord 1696. at Menofin within the Jurisdiction of this Court was possessed of three yards  
and three quarters of Lacey as of his own proper self and being thereof so possessed, the same afterwards out  
of his hands and possession did casually, <sup>come</sup> whither said three yards and three quarters of Lacey, afterwards to the  
hands and possession of the said Thomas: Hobbs, nor or the less the said Thomas: well knowing the said Lacey to be  
the proper goods of him the said John: and of right to him to belong and appertain, but designing & fraudulently  
intending him the said John: in his behalf to deceive and defraud the sd Lacey to the sd John: hath not delivered but  
hath hitherto refused and doth still refuse to the damage of the John: of 1600. pounds of tobacco and the said  
brings his suit. et. But p<sup>r</sup> the d<sup>t</sup> John: the  
Lacey: R<sup>t</sup>

Alia. Not guilty in manner and form saith the d<sup>t</sup>. James: Sangster, and that he desired may be inquired by 4 County  
and the p<sup>t</sup> also But.

Evidenced for the p<sup>t</sup>. Richard Chambers, summoned in Court and sworn as also same. et. et. et.  
Evidenced sworn for y<sup>e</sup> d<sup>t</sup>. Joy: Hobbs & Elias: Jones.

And being joined Declaration being read the whole matter was referred to the Jury, and therefor <sup>Thomas</sup>  
was given to the Sheriff: to summon twelve good and lawful men of this County that the Case might  
be the better understood whither forte witz was performed. p<sup>r</sup> and whither of it as followeth. viz. Mathew:  
Horsy. Walter: Taylor. John: Colvoun. John: Broughton. Mathew: Forman. John: Smullon. Benj<sup>m</sup>: Bards  
William: Blamoz. John: Lanthier. Michael: Williams. Richard: Gofferson. Thomas: Larramore, 12. who  
have deliberately heard the whole proceedings, de d<sup>t</sup> and Evidenced, returned their charge as set forth.  
and the same day the foresaid Jury returned, in Court, with this following verdict, read in the audience of y<sup>e</sup>  
p<sup>t</sup> and d<sup>t</sup> viz. wee Jur<sup>y</sup> of this Jur<sup>y</sup> doe find for the p<sup>t</sup>. Nath: Horsy. Foreman.  
This Court Orders the above sd verdict to be entered. judgment thereon

John: King p<sup>t</sup> } who was attached was awarded agt the d<sup>t</sup>. for 1126. of tobacco for y<sup>e</sup> p<sup>t</sup> up<sup>r</sup>  
John: dyward. d<sup>t</sup> } the d<sup>t</sup> being already attached 942. and appeared upon Record lib B.W. 7. fo. 177. et  
so that there remained 178. of tobacco. still due to y<sup>e</sup> p<sup>t</sup>. whither sd sum of 178.  
of tobacco in Lacey. But in open Court assumed to pay to the sd King  
so much indebted to the d<sup>t</sup>. Order Contumacious for the same.

Mary: the wife of James: Ingram, being summoned to Court to answer what should be objected agt her  
behalf of their Malice. the said Mary: being accused for carrying of her Husband, and going over the sea  
with John: Cary. the sd Mary: being without asking forgiveness of this Court and upon her knees to her  
Husband, her Crime is remitted.