

Wholly refused that: Altho protesting if they were read there he would leave
the Compa and accordingly did so

The Deposition of Col Edward Boyd

I do know Alexander Forbes Comptrol and Robert Smith Esq Defendant
doe remember that being at the house of Mrs Jane Henrich at York Town in
York County and within the porch of the said house where the above named Robert
Smith Esq was Altho several other Gentl - And as well as I can remember
or call to mind it was about three or four years agoe there the above named
Alexander Forbes the Comptrol did require the aforesaid Smith to make over
some land that he had bought of him the quantity of the land named doe not
remember and produced writing which he the said Forbes called a deed or
conveyance by way of lease and release as he termed it which the aforesaid
Forbes required the above named Smith to sign and acknowledge; after
some communication betwene them upon that matter the said Smith said he
would not sign that paper: or to that purpose: The Comptrol Forbes desired him
to read it: but the said Smith refused to read it: Forbes further desired him to hear
it read: but the said Smith replied he would not read it nor hear it read: desiring
if any person did read it: he would goe out of the Compa: And after
publication hereof in this Hon^{ble} Court: I was moved by the Comptrols
Attorney that for as much as this Cause depends upon stating some matters
and amounts relating to what is set forth in the sd Bill of Comptrols
Therefore humbly prayed this Hon^{ble} Court that Commission to Auditors
be awarded and directed to the Honable Thomas Smith and John Harrison
Esq: to Examine and state the amounts of the said Comptrol with the said
Defendant relating to the said Compa and to report the same under their
hands and Seals to this Court by all convenient speed - which the Defendants
consented to: was granted as prayed - Afterward to wit the thirteenth
day of October 1705 came the Auditors aforesaid and made report
under their hands and Seals unto his Ex^{ty} and this Hon^{ble} Court as
follows Viz: By virtue of an order to us directed from the High Court of
Chancery ~~and directed~~ dated the Twenty second day of February last to Examine
and state the amounts betwene Alexander Forbes Comptrol and Robert
Smith Esq Defendant touching a cause in the said Court depending betwene
the said parties - Wee doe upon that inquirt and Examination find
the sd Forbes paid to the said Smith and to his Order or to other persons
by his order: the sume of Eleven Thousand Eight Hundred & Seven

pounds