aforesd plaintiffs purchasing his Original Writt yt ye aforesd Garnishee had not nor at any time since hath had any Goods property in the aforesd Sloope above as in his plea alledged & soe his prayer may be inlarged & by ye Country Bowne & Quest

AND the aforesd Garnishee in like manner Hunter & ye Garnishee

Whereupon Comission was given to the Sheriff of Kent County that he immediately cause to come here Twelve ye by whome ye to recognize ye because as well ye & ye this day make return that he had there ready Twelve ye as by his precept it was commanded viz. Benjamin Richard Thomas Church Samuel Dicks Richard Cornbles George Smith George Browning Thomas Christian Robert Freeman Robert Parks John Hodge Morgan Jenny Francis Barney & ye Jury being duly Sworn to try the Issue Joyned & having heard the whole matter & allegations on both Sides the Court gave to them there Charge who withdrew to Consider on ye premises

Colo Wm Peace takes his place and Sett on ye Bench

Mr Philip Hopkins and Capt Wm Sett absent

The aforesd Jury Doe againe return to the barr and being called over as also the pltff and Garnishee & being Demanded whether they find for the pltff or the Garnishee Doe say we of the Jury find for the Garnishee and by Benjamin Richard there Foreman also Soe Say

Whereupon the Sd Garnishee by Richard Hunter his Attorney & moved the Court here for Judgment on ye Verdict aforesd & it is to him granted. Therefore it is Considered by the Court here viz. This Twenty Seventh day of August Anno Dni 1708 that the Said William Mackey take nothing by his writt of Attachment aforesd but for his false Clamour be in Mercy and ye Sd Daniel Pearce as garnishee of ye aforesd George Lumley as to ye aforesd halfe Sloope Attached as ye Goods of ye Sd George Lumley goe thence without day &c and also that the Sd Daniel Pearce as garnishee aforesaid Doe recove against the Said William Mackey the Summe of Seven hundred and fourteen pds of Tobacco by the Court adjudged him for his Costs and Charges about his defence in this behalfe laid out and expended

Jam Smith Clk

Whereupon the Sd pltff Craves of this Court an appeale from the Judgment of this Court to the next provincial Court &c it is granted giveing Security &c