September Court 1708

is Sett forth But further the Said Defend.t in deed Saith that Since the afs.d promise
he hath Paid the Said Defend.t paid and Satisfied unto the Said pltiff the Sum of £3-2-6 as
by an Account to this plea annexed and here in Court brought appears which is over and
above of demand in the pltiffs Declaration, and therefore he the Said Defend.t Craveth
a Discount according to a certaine Act of Assembly in Such cases made and provided

Carter & Deft

Anno 1704 Ebenezer Blackiston Dr To 19 years Schooling your
Daughter att 500 lb of Tobacco or in money £1-10-7 To cash lent you £-7-6 To 10 days
a fitting you in your Store Selling your Accounts at 2/6 p Day £1-5-0 is in all
£3-2-6 Salva Errors & David Williams April the 9th 1708 The above
Account proved then in open Court in Common form by the Oath of David Williams

Teste Thomas Clk

And the aforesaid Ebenezer by his atty for Replication Saith
that for anything by the Said Davids plea of Discount in Barr of the Said Action alledged
he ought not to be debarred thereof because he Saith y.t the Said David hath not paid and
Satisfied unto the Said pltiff the Sum of £3-2-6 as by the Said Acc.t to that plea annexed
is Sett forth and this he is ready to verifye and prays may be enquired of by the Court
Philipson & Lucas and the Deft likewise Carter & y.e Deft

Whilst Said pleadings and the allegations and Arguments of both partys
being by the Court here heard fully understood and deliberately considered by all & it appears
to the Court that the Said Ebenezer Blackiston hath not prosecuted his Writt to Effect
Wherefore It is Considered by the Court here this 9 day of April 1708 that the
Said Ebenezer Blackiston take nothing by his Writt & Deal.d aforesd But be in Mercy for his
False Clamour and that the Said David Williams go thereof without day It is further
Considered that the Said David Williams recover against the Said Ebenezer Blackiston
the Sum of Two hundred Twenty and four pounds of Tobacco by the Court here adjudged
Costs for his Cost and Charges in this behalfe laid out & expended according to the form
of the Statute &c Teste Copy

Teste Thomas Clk

Mr David Williams Dr To the above Transcript & Seale 10/ 9d Errors excepted Teste Thomas Clk

And now here the Said David Williams by the afs.d Michael Carter his atty moved
the Court here that for the afs.d Costs & charges in Queen Annes County Court upon the
non Suite afs.d & for the Costs by the afs.d David about taking out the Transcript afs.d
& the Costs in this Court arising upon the Same according to a certaine Act of Assembly
in Such cases made & provided, Execution may be made the Said David be awarded.
o = o: Wherefore It is Considered by the Court here viz.t this Twenty Eight day of
September Anno Domi 1708: that the Said David Williams for the afs.d Sume of Two
hundred Twenty and four pounds of Tobacco for his Cost and Charges in this behalfe
laid out and expended as in the afs.d Transcript is specified together with the Sum of twenty
four pounds of Tobacco Costs in getting the Said Transcript out of Queen Annes County Court
amounting in the whole to the Sume of three hundred and Eighteen pounds of Tobacco

and