

March 1707

their proper persons and the said Case standing for Review of the said

AND the said Christopher in his said Capacity in his proper Person
 and Beyond the Force & Injury which he and pray Judgment of the said Francis
 Condemnation according to said Attachment against the said Christopher in his
 Capacity as a Factor & had because he saith that by reason of Divers orders
 for the late Sum of Tobacco due to said Christopher by him delivered unto a certain
 Giles Brad Merchant who was agent & factor for said Peregrine as said Christopher
 saith by records & also for amounting to several thousands pounds of Tobacco and
 that before of time of signing out of the said Francis writ of Attachment it
 was not then returned nor accounted for as need for the said Christopher
 to the said Christopher did not then nor at any time afterwards until the
 31 day of July 1707 know that he was anything indebted unto the said
 Peregrine and that upon the 31 day of July 1707 at the Special Instance
 & request of said Giles in his Capacity as a Factor the said Christopher did ac-
 count with said Giles & after said account for some thousands of pounds of Tobacco returned
 to the said Christopher by him of said Giles he the said Christopher was charged ac-
 cording to the said Peregrine one thousand & seventy two pounds of Tobacco and
 altho the said account was not returned to the said Giles and the said
 Giles knowing of Attachment above said to be then laid in the hands of the said
 Christopher & that it was then depending in the said Court he the said Giles did then
 and there instantly demand a receipt of some of the said Christopher could
 not refuse - AND a year added an Article of 600 of Tobacco w. he then there
 got that time paid unto the Peregrine Drowne Jun in behalf of said Christo-
 for which said balance Article in the whole amounting to of some of 1672
 of Tobacco to the said Christo - at the Special Instance & request of the said Giles
 did instantly sign & deliver the said notes unto the said Giles for the said Sum
 of 1672 Tobacco for use of said Peregrine for whom he signeth as a bond
 being the balance of all this returned them. AND this he is ready to verify &
 therefore to pray Judgment as above said. *Philippus propria Persona*

AND now here is offered to the said Francis Darnley in his proper person
 move the said Court that he may have Judgment for Execution of the said Court on the
 Judgment as a Factor attached in the hands of the said Christopher Philipson Gar-
 in the said Court. Therefore it is considered by the Court here that the
 Court on the Judgment as a Factor to the Sum of One thousand three hundred thirty
 seven pounds of Tobacco in the hands of the said Christopher Philipson Attached
 as a Factor be condemned that the said Francis Darnley have thereof Execution &c.

Jam. Smith Clerk