

September 24: 1707

June 24: 1705

Edward Scott One of the Ex<sup>ts</sup> within men hand proves the within  
Auc. to be exactly stated as it stands upon the book of the within Elias King except  
two servants mentioned in said Auc. w<sup>ch</sup> if Edward would not prove saying that he  
could not find them upon said Elias book proved in open C<sup>t</sup> — James Smith C<sup>t</sup> —

AND the a<sup>ft</sup> Dominant H<sup>o</sup> by their a<sup>ft</sup> atty by Proffession say that the said  
Defts Auc for 9419 Tob<sup>o</sup> to them y<sup>e</sup> Defts against the said Defts Debt for 9280  
of Tobacco ought not to be Discounted because they say that as to y<sup>e</sup> two men now  
as rated at Ten thousand is an erroneous Article for that one of the said Servants  
was bought by said Kelly of said Deftat for 2000 of Tobacco & the other for 2400  
And that as to the other Articles he said Kelly did not a<sup>ft</sup> in manner & form as by  
said plea and Auc is alleged and of all this put them Solov<sup>y</sup> upon the Country  
Phillipson pro D<sup>e</sup>ct —

AND the Defendants in like manner Hunter & Defendants

Commanded it was therefore to y<sup>e</sup> Crown of the said County that without  
delay he cause to come before y<sup>e</sup> said Justices twelve H<sup>o</sup> by whom H<sup>o</sup> whom the  
Deft. to recognize H<sup>o</sup> because as well H<sup>o</sup> — Whereupon the C<sup>t</sup> of the  
said County viz Thomas Smyth Esq made return of the said Receipt in all  
things served & executed And the Jur<sup>ts</sup> by y<sup>e</sup> said Crown impeached being called  
likewise came viz Daniel Pearce Robert Foreman Richard Maffon William  
Ains William Edwards John Woodall John Swift Jacob Wale Edward Carrell Henry  
Quand Pearce Lamb Thomas Pinney Who to speak the truth of the premises  
being duly sworn & Sworn having had their charge did depart from the Bar  
to consider But did not agree on their Verdict before the said C<sup>t</sup> was adjourned until  
the next C<sup>t</sup> in Course and so departed without delivering their Verdict

Att w<sup>ch</sup> said next C<sup>t</sup> in Course viz y<sup>e</sup> Twenty f<sup>th</sup> day of November in the year  
a<sup>ft</sup> the a<sup>ft</sup> Jur<sup>ts</sup> appeared and Delivered to the C<sup>t</sup> their Verdict viz that they the  
said Jur<sup>ts</sup> by Daniel Pearce their fac man say that they finde for the Defts and  
assess the damages of the said Defts to One thousand four hundred Sixty one p<sup>ts</sup> of  
of Tobacco Whereupon y<sup>e</sup> said Defts by their a<sup>ft</sup> atty moved the C<sup>t</sup> in Day  
of Judgment upon the Verdict of the Jur<sup>ts</sup> a<sup>ft</sup> and prayed that they might have  
liberty in till y<sup>e</sup> Seventh day of Jany then next ensuing to file their Reasons  
w<sup>ch</sup> was granted by y<sup>e</sup> C<sup>t</sup> considered to be sufficient time for the said Defts to con-  
sider of same before the then next ensuing C<sup>t</sup>

Att w<sup>ch</sup> said next C<sup>t</sup> viz the Twenty Seventh day of Jany in the year a<sup>ft</sup>  
the said C<sup>t</sup> was adjourned until the next ensuing C<sup>t</sup> in Course

Att w<sup>ch</sup> said next C<sup>t</sup> viz y<sup>e</sup> Twenty third day of March in the Seventh  
years of her now Majesties Reigne the Reasons filed in Day of Judgment was  
continued until the then next C<sup>t</sup>

Att w<sup>ch</sup> said next C<sup>t</sup> viz this 24: day of June came the a<sup>ft</sup> parties  
by