

June 1708

Wherefore the said Defts pray Judgment as aforesaid Philipson pro
Demur' Joyned Carlo & Deft

Which said Reasons & Demur' are being read & argued and in a lare deliberation
thereupon by the C^t being taken It is Considered by the C^t here that the
Reasons afo^r are not sufficient in Law to stay or delay Judgment on the Verdict afo^r
And afo^r that the said Defts in their afo^r capacities do recover against the said
Deft afo^r a Sum of One thousand four hundred fifty one pounds of Tobacco
Damages by the Jury afo^r afo^r the Sum of Seven hundred forty six
pounds of Tobacco costs by the afo^r Deft about these Suits in this behalf expended
and by the C^t here of thine afo^r adjudged of the goods & chattells of the
afo^r Deft King in the hands of the said Defts & of the said Defts to be
administered And the said Deft in mercy

Whereupon the said Defts moved of this C^t an appeal from the Judgment
of this C^t to the next Troo C^t which is granted giving Security &c

Whereupon the said Deft wth Arthur Miller & Michael Earle entered into
bond to the said Defts for the due & lawful prosecution of the said appeal according
to Act of Assembly in that case made & provided as by said Bond filed app^r

John Smith C^t

Commanded it was to the **Sherrif** of Kent County the
Twenty sixth day of June in the Tenth year of the King
of her now Majesty Anne &c that he take Thomas Knight
Edward Scott both of Kent County Gent^l &c of the last
Will & Testament of Elias King late of Kent County afo^r Deft
deceased if they should be found in his Will & them safe to keep so that he hood
their bodies before the Justices of her said Majesty's County C^t to be held at the Town
of Dover on the fourth Sunday in August then next ensuing to answer
unto William Worrell of the said County Gent^l &c singular of goods &
Chattells Credits &c of Edward Tocalnam late of the said County Gent^l deceased
of a Plea of Trespass upon the Case And that he then & there have the said Deft
Altho' said C^t on the fourth Sunday of August viz the 26 day of said Month
the day of the Returns of said Writ came Thomas Smyth Esq^r Baron of the said
County and made returns of the said Writ in these words viz

Copi Corpus p^r Tho: Smyth Baron

Altho' the said C^t also the said Defts being solemnly called came and by
Michael Earle their atty^r appeared and prayed liberty to answer until the
next C^t to them was granted the same day was given to the said Defts likewise

Alb