June Co: 1706

paid the Same w^ch the ffleet at Jamaica bought & the northern Merchants Ships
by the Said Defts in his aforesaid Capacitie who had Letters of Admission to him granted
Since the death of the s^d Elias they have been thereunto required but the Same
to doe they and Every of them Hath Denyed and refused and Still doth deny and refuse
to y^e Damage of the s^d Pltf in his Said Capacitie 2999 pounds of Tobacco and
thence of the Writt Suite &c And he Brings hereinto &c Ptt^s of Admon by which

Mr Elias King Hunter spr Sheriff Pltf Doe Ruld Def^t
For the Estate of Edward Sweatman
In Anno Domini 1699

Imp^s To two Cowes delivered to Thomas Thexton & Eodd Anes	1500
To one Cow & Calfe Sold to Richard Burke	800
To the Copps of Tobacco made of the Intestates negroe Cleo	1500
& Order Edward Loes ffor	1200
To Tobacco paid your Selfe	1500
To a Horse called Sunsh to your selfe	2000
To a Servant Sold & your selfe named John Young	8500

Errors Excepted Jno Will Worrell
Adm^r of Edward Sweatman

And the Said Defts in their Said Capacities to Answer unto the a^d
Dec^n & the Solemnly called came not nor Say any thing in bar or avoidance
of the Same Dec^n By w^ch the Said Pltf in his Said capacitie may remove
against the Said Defts without delay Therefore it is Considered
by the Court Here that the Said Pltf in his Said capacitie do recover against
the Said Defts in their Said Capacities the a^d Summe of Eight thousand five
hundred pounds of Tobacco damages by the Said Pltf in his said capacitie
Cleo by Said Elias his not performing his promise & Assumpsion a^d Inclosed and
also the Summe of Four hundred and Eleven pounds of Tobacco costs by the Said Pltf about
his Suite in this behalfe Expended and by the Court here of his a^d Judged of the
goods & chattells of the Said Elias in their hands of the Said Defts Ex^rs of the Said
Elias to be Administered And the Said Defendants in mercy

Whereupon the Said Defts prayd of this Court Leave to appeale from the
Judgment of this Court to the next Provincial Court w^ch is granted giving Security &c

Whereupon the Said Ex^rs w^ch Arthur Miller and Michael Earle enter into
Bond to the Said Pltf for the Effectuall prosecution of the Said appeale according
to Act of Assembly in that case made & provided & Said Bond filed accordingly

Sam Smith Clk