

Nov. Court 1716

Thomas Bowne his atty and the Deft ap by his ap atty who pleads as fold viz  
And the ap Joseph Milbe by James Earle his atty says that he the said Joseph did not assume in manner & forme as if ap William above in his Declaration against him hath declared and of this he puts himself upon of Country

Earle & Deft  
Bowne of Deft

Whereupon Command was given to the Sheriff of Kent County that he immediately cause to come here twelve to try whom he saith Peroguis is who neither is. Because as wold be and the Sheriff comes and makes return that he hath here ready twelve as by his precept it was Commanded who being called Likins come viz Samuel Thomas Ebenezer Blackiston James Murphey Roger Gailes Fredrick Harrison Daniel Farrilo Richard Davis Fran Bellows Christopher Bellian Edward Davis Sam Morris Ben Blackledge who being duly elected tryd and sworn and having heard the pleadings And the ptt ap proves his ap and as it stands stated And having heard the Evidences and allegations on both sides The Court having given them a charge do with draw to consider and after some time do againe return to the bar and being called over as also the ptt & Deft do app and the jury being asked whether they are agreed on a verdict do say they are agreed on a verdict and being demanded whether they find for the ptt or Deft do say they find for the ptt as to the first assumption of Deft did assume in manner and forme as above declared find Damages Six hundred pounds of Tobacco as to the second assumption he did not assume in manner and forme as above declared as to the third assumption in the above Declara. set forth of Deft did assume in manner and forme as above declared and find damages two hundred and forty pounds of Tobacco with Cost of Suite And by Samuel Thomas there fore man all so say on which the ap ptt by his ap atty prays Judgment on the verdict ap with Cost thereon accruing. Therefore it is Considered by the Court here on this twenty second day of Novemb. Anno Domini 1716 Thousand Seven hundred and Sixteen That the ap ptt William Bowne do recover against the said Deft Joseph Milbe as wold the ap Sume of Six hundred pounds of Tobacco and two hundred and forty pounds of Tobacco amounting in the whole to the Sume of Eight hundred and forty pounds of Tobacco Damages as also the Sume of fifteen hundred and twenty two pounds of Tobacco Cost by the said ptt about his Suite in this behalf expended and by the Court here of his apent adjudged and the said Deft in money

John Smith Esq