

November 1716

ready to follow as by his precept it was Comanded who being called
 came by Samuel Thomas, Ebenezer Blackiston, Roger Hails, John Evans,
 Daniel Farrolo, Francis Selden, Ch. Bellian, Robert Green, Edward
 Davis, Samuel Norris, Benj. Blackledge, Zachariah Mair, Daniel Whigg
 Jury being duly Sworn & sworn. And the p^t having proved
 his Case and the Jury having heard the pleadings and allegations
 on both sides The D^{ft} proves his Case. also The Jury give in their
 Verdict at the bar by The Jury being called over do appear the p^t
 also app^r the app^r D^{ft} denies to app^r. - And the app^r Jury say that
 as to y^e first assumption above mentioned the app^r D^{ft} is worth of
 three thousand four hundred twenty three p^{ds} of Tob^o. ought not to
 have but as to the second assumption they find y^e D^{ft} did not
 assume in manner and forme as above declared as to the third
 assumption he did assume in manner & forme as above declared
 y^e find Damages the Summe of seven hundred eighty two pounds
 of Tobaco and one half pound of Tobaco Damages as to the
 fourth assumption the D^{ft} did assume in manner & forme as
 above declared and find Damages one hundred and eight
 pounds of Tobaco with Cost and by Samuel Thomas there
 foreman all so say The p^t by his app^r atty prays Judgment
 on the Verdict app^r. - Therefore it is considered by the
 Court here viz. this twenty fourth day of Novemb^r. Anno Dom^o
 one thousand seven hundred and sixteen That the app^r p^t
 John Fanning recover against the said D^{ft} John Moore as
 well the app^r Summe of seven hundred eighty two pounds of
 Tobaco and one half pound of Tob^o and one hundred and
 eight pounds of Tobaco in the whole amounting to the Summe
 of eight hundred and ninety pounds of Tobaco and one half
 pound of Tob^o. Damages by the Jury app^r assessed as also the
 Summe of six hundred forty four pounds of Tobaco Cost by the
 p^t app^r expended and by the Court here of his exp^t adjudged and
 the said D^{ft} in mercy &c.

Sam^l Smith