

Continued until the <sup>March Court 1719</sup> then next Court

Att which said next Court to wit the 21. day of March Anno Dom 1719 comes againe as well the said p<sup>l</sup>t by his said atty as the said Deft by his said atty and the ap Walter by David Macbride his atty comes and defends the force and injury shunke. and to the ap severall promises and assumptions supposed to be made as ap in the said Deft. sayth that he did not assume upon himselfe in manner & form as the ap p<sup>l</sup>t. against him complaineth and for tryall put himselfe upon the Country &c.

and the p<sup>l</sup>t. in like manner

Hereupon Command is given to the Sheriff of Kent County that he immediately cause to come here twelve or by whom soe. who neither sh. to recognize sh. to serve as well sh. of what said p<sup>l</sup>t. the said Sheriff to wit Simon Willm<sup>r</sup> Gent. now here at this day to wit the 21. day of March Anno Dom 1719 makes return that he hath here ready twelve sh. as by his precept he was commanded and now here afterwards to wit the day & year last mentioned comes againe as well the said p<sup>l</sup>t. by his atty ap as the said Deft. by his atty ap and the Jurors of that Jury being impannelled who being called likewise came to wit Thomas Piner Robert Meech John Willey Robert Mensill William Brown Richard West John Hollinson George Leed William Graves William Blackiston Arth. Foreman John Leed who being duly elected tryd & Sworn to say the truth in y<sup>e</sup> premises upon their Oath do say that they find for the p<sup>l</sup>t. and that the Deft. did assume in manner and form as to the first assumption above against him as also did assume in manner and forme as to the second assumption as in the Deft above sett fourth and find Damages the sume of five hundred Sixty four pounds of Tobacco with Cost of Sute Therefore it is considered by the Justices here to wit the 21. day of March Anno Dom 1719 ap that the said William Frisby recover against the said Walter King as well the sume of five hundred Sixty four pounds of Tobacco Damages by the Jury and found by Ovation of the premises ap as also the sume of Eight hundred Twenty three pounds of Tobacco by the Court here adjudged to him for his Cost and Charges by him about his Sute in this behalfe laid out and Expended and the Deft. in mercy &c.