

November Court --- 1725 --- 79<sup>o</sup>  
 which the said Benjamin Saw Standing and now Standeth near the Water and about 200 pole  
 to the Eastward of the Glare where Capt<sup>r</sup> Ferritt Saith he Saw the Marked tree, it Standeth near of  
 water by a sandy Shore and that when he first Saw it, it Seemed to be an Old Marked or Near the  
 matter as it now is and further Saith not he heard his Uncle John Stockley say that One Richard  
 Ward Said he was present when the Bounder of Newwin<sup>r</sup> House was first Marked and that the  
 afd tree was the first Bounder and further Sayth not

Joseph Wyat aged 39 years or thereabouts being Sworn Saith One he was dis-  
 couring of buying part of the afd tract of Land of woodman Stockley and he brought him  
 to the afd tree mentioned by Benjamin Stockley and Shewed him the afd tree for the first Bounder  
 and further Saith that that ~~God~~ William Whittington would have had him destroy the afd tree but  
 being forewarned by Woodman Stockley did not do it and further Saith not

Oliver Stockley aged 24 years or thereabouts, <sup>being Sworn</sup> Saith that he heard his father say that the  
 afd tree mentioned by his brother Benj<sup>r</sup> was the first Bounder of his Land called Newwin<sup>r</sup>  
 House and further Saith not - The Commission duly Expounded by us this 24<sup>th</sup> day of Aug<sup>r</sup> - and Dated  
 1725 - John Smith, John Miller, John Aydelott

By Joseph Macclister }  
 John Hudson Ind<sup>r</sup> } Somersett sh<sup>r</sup>.  
 John Hudson of Somersett County Glanter was Sumoned to answer unto Joseph

Macclister of a plea that he Render unto him twenty four thousand two hundred pounds of  
 Tobacco which to him he Owes and Unjustly detains &c

AND whereupon the same Joseph by Lewis Gale his attorney Saith the afd John  
 the Seventh day of June Seventeen hundred and twenty five at the County afd within the Jurisdiction  
 of this Court by his Certain Writing Obligatory granted him self to be sold and firmly bound unto  
 the same Joseph in the Sum of Twenty four thousand two hundred pounds of tobacco to be paid  
 the same Joseph when afterwards the said John should be therunto required the afd Sum  
 of Eight twenty four thousand two hundred pounds of tob to the same Joseph hath not paid or  
 him for it in any wise contented but the same John the same hitherto to do hath altogether refused  
 and still doth refuse whereby the same Joseph says he is worse and hath damage to the value  
 of Twenty thousand pounds of tobacco and thereof brings this Suite &c and the said Joseph  
 brings herunto Court the Writing Obligatory afd Lewis Galeff Qu<sup>r</sup>. Ledger J<sup>r</sup> D<sup>r</sup> M<sup>r</sup>

AND whereupon the said John Hudson Ind<sup>r</sup> being called appears, and thereupon the said  
 John Hudson at the prayer of the afd attorney afd is adjudged to give Special Baile to the action  
 afd. Whereupon a Certain William Davis of Somersett County Glanter present here in Court in his  
 proper person undertakes for the said John Hudson that in this case the said Joseph Macclister  
 shall recover Judgment in the plea afd against the said John Hudson or that the said John Hudson  
 shall be therunto Convinced that then he the said John Hudson shall pay the Condemnation of the Court  
 (thereupon)