

Willm Smith pte }  
 Capt Willm Mitchell }  
 p Attorn Defendt } Upon the motion of m<sup>rs</sup> Susan Warren Liber B.  
p. 456  
 Daughter and Assignee of the pte to have  
 550<sup>t</sup> Tob which was taken in Execution upon  
 an Order of the 21<sup>th</sup> of January 1651 for five Barrells of Corne  
 or the Value thereof. It now appearing to the Court that the  
 pte Smith hath received Satisfaction of the Said Debt to 225<sup>t</sup>  
 of Tob & Caske. It is ordered with the defendants two Attor-  
 neys consent that they or one of them give the Said m<sup>rs</sup> Warren  
 Credit with Cap<sup>t</sup> Cornwalllyes or Some other to the Value of  
 the Said two hundred twenty and five pounds of Tob: & Caske  
 being the ballance of the debt of five hundred and fifty pounds  
 of Tobacco before mentioned.

m<sup>r</sup> Joseph Manning merch pte }  
 m<sup>r</sup> Tho: Webb merchant defendt } Upon the Motion of Tho: Gerrard  
 Esq on the behalfe of the pte. It is  
 ordered that an Attachment lately made out at the pte Suit  
 against the defendants Estate for the attaching of 500<sup>t</sup> Tob: &  
 Caske in m<sup>r</sup> Eltonheads hands, be reinforced and the Tobacco  
 to rest in m<sup>r</sup> Eltonheads hand till a hearing the next Court

Tho: Cornwalllyes Esq plt }  
 Tho: Gerrard Esq defendt } Upon Reading of two former Orders  
 of respite in this Cause the first of the  
 20<sup>th</sup> of January and the other of the 22<sup>th</sup> of March last, And  
 upon Some debate now had of the matter in question in the  
 p'sence of both parties, The Court conceiving the Same to be  
 proper to be considered of by an Assembly doth Order that the  
 hearing thereof be referred to the next generall Assembly to  
 be held for this Province.

Robert Taylor pte }  
 Robert Brooke Esq deft } Upon reading of an Order made in this  
 Cause the 22<sup>th</sup> of march last and of a  
 Certiff<sup>t</sup> upon Oath from the Compltes Wittnesses in pursuance  
 of the direction of that Order, as alsoe of the defendants  
 Answer now given in Whereby he referred himself to the  
 Court & Jury The Court gave Direction for Impannelling a  
 Jury for the Tryall. Whereupon the Sheriff Impannelled 12  
 Jurors Viz<sup>t</sup> m<sup>r</sup> Willm Bretton foreman, m<sup>r</sup> Luke Gardiner, m<sup>r</sup>  
 W<sup>m</sup> Boreman, m<sup>r</sup> Willm Johnson, m<sup>r</sup> John Lawson, m<sup>r</sup> Tho:  
 Mathews m<sup>r</sup> Willm Edwin, m<sup>r</sup> Stanhop Roberts, m<sup>r</sup> John  
 Cornelius m<sup>r</sup> Tho: Bushell, m<sup>r</sup> Willm Smith, and m<sup>r</sup> John p. 457  
 Nicholls who having their Charge given them upon Oath to  
 give in a Just & true Verdict to the best of their Skill and  
 understanding upon the proofes and Evidences to be produced  
 to them on both Sides in this Cause whether the hogs or Swine  
 Charged by the ptes Peticōn to be killed by the defendant or his  
 appointm<sup>t</sup> were of the Complts Marke or not, After Some time  
 of consideration thereupon gave in their Joint Verdict or