

Lib. C. B. than an Account dated the 10th & 11th of August 1738 for the $\frac{1}{2}$ Commission for the receiving 17363 pounds of Tobacco signed by the said Paca which Account your petitioner is ready to produce and to which he begs leave to refer himself that it then appeared before the said Caswell that the only Claim the said Paca had against your petitioner was for $\frac{1}{2}$ the $\frac{1}{2}$ Commission which your Petitioner was to have for the Receiving the aforesaid Sum of 17363 pounds of Tobacco which your petitioner agreed to pay to the said Paca which was to be in Current Money at the rate of 4 Shillings p hhd for the whole Commission and that the said Paca so understood the said Agreement before he went to receive One Pound of the said Tobacco and that after he had received it and before the issuing of the aforesaid warrant he Consented to take forty Shillings Current Money in full Satisfaction for the same and did Actually receive of your Petitioner 34 Shillings in part of Payment thereof and refused the Remainder which was tendred to him by your petitioner in two Bills of Credit Amounting to Six Shillings and Six pence all which particulars were Confessed and Acknowledged to be true before the said Caswell by the said Paca himself in the presence of several indifferent Persons who are now ready to prove the same Notwithstanding
 p. 26 upon the aforesaid Account against your Petitioner for 434 pounds of Tobacco thereabouts

Whereupon your petitioner to prevent the trouble & Expence of being taken in Execution upon the said Judgment thus wrongfully rendered against him offered to pay to the said Paca the aforesaid 434 pounds of Tobacco or thereabouts According to the said Judgment in the hands of the Reverend M^r Cauthorn there-present who told the said Paca that he owed it to your petitioner and believed that he had that quantity ready in his hands to pay to him if he or any one would receive it for him or in the hands of the said Caswell who likewise owed your Petitioner a Greater quantity of Tobacco then that the Judgment was rendered for notwithstanding all which your Petitioner was taken in Execution upon the aforesaid Judgment and Actually Confined till he satisfied the same with Costs thereon

All which several Facts your Petitioner is ready to make out by undeniable Testimony at such time and place as your Excellency and Honours shall Appoint and inasmuch as your Petitioner has no Appeal to any of the Courts of Justice for a remedy against the said Judgment and Execution and that such Arbitrary Proceedings are of dangerous Consequence to others as well as your petitioner he therefore prays that your Excellency and Honours will be pleased to take the Case into