

the Said Sume of 800 lbs. of Tobacco to the Said James in his Lifetime or to the Said John Chappman Since his Death to whom Execution of the Last Will and Testament of the Said James Since his Death hath been Leagally Committed according to the Promise of the Said Mary whilst She was Sole as aforesaid hath not Paid Although the Said Mary whilst She was Sole to doe the Same to the Said James in his Lifetime and the Said John Hill and Mary Since the Espowsalls between them had and Celebrated by the Said John Chapman Since the Death of the Said James (to witt) the 10th day of May in the year of our Lord 1699 att Charles Towne aforesaid was thereunto requested but the Same to pay hath denyed and Still doth denye to the Damage of the Said John Chapman of 1600 lbs. of Tobacco and thereof he brings this Suite etc. And the Said John Chapman brings into Court the Letters Testamentary etc. that it may the Plainer appear etc.

Pledges etc. John Doe, Richard Roe. Joshua Cecell.

And the Said John Hill and uxor by William Stone their Attorney comes and defends the Force and Injury when etc. and Prayeth Lycence thereof to imparle here untill the next Court Comeing and it is Granted unto them the Same Day is given to the Plantive Likewise. Att which day to witt the 26th day of September Annoque Domini 1699 here came as well the Said John Chapman Plantife as the Said John Hill and uxor by their Attorneys afore Said and the Said John Chapman Prayeth that the Said John Hill and uxor to this Declaration afore Said may answer.

And the Said John Hill and uxor by William Stone their Attorney Comes and defends the force and Injury when etc. and Saith that the Said John Hill and uxor did not assume in manner and forme [aforesaid] and putts him selfe upon the Court. William Stone.

And the Plaintiff also. Joshua Cecell.

Whereupon the Court haveing read and Fully understood the Alligations of the Parties on both Sides and the Wittnesses on both Sides being fully heard by the Assent of the Parties aforesaid.

Therefore it is Considered by the Court that the Said John Chapman Plantiffe take nothing by his Said writt but be in Mercy for his Falce Clamor. And lett the names of the Pledges be Sought for and the Said John Hill and uxor goe thereof without day etc.

Then did the Court adjourne till to morrow Morneing Eight of the Clock and then mett and Satt.

William Wattson desiers his marke may be recorded as (viz.) the right Ear Crapt the left a Crap an under Keel and an over Square both Cattle and hoggs.

[496] Present, Mr. William Hutcheson, Mr. Robert Bradley, Mr. Robert Tyler, Mr. John Hawkins, Mr. Robert Wade, Mr. Samuell Magruder, Mr. Thomas Sprigg, Mr. James Stoddart, Commissioners.

Ordered that Mr. William Barton make a demand of Mr. Thomas Greenfeild for the Sume of Tenn Thousand Eight hundred and twenty pounds of Tobacco Adjudged by the Provintiall Court to be reembursted by him to this County and that he make a returne thereof by to morrow Morneing Eight of the Clock.