

But the Same to doe and performe unto the Said Anthony Although often Requested did denye Whereupon the Said Anthony Saith he is the worse and hath damage to the vallew of five thowsand pounds of tobacco and thereupon he brings his Suite etc.

Pledges etc. John Doe, Richard Roe. Joshua Cecell for the plantiffe.

And the Said William Powell by William Stone his Attorney Cometh and defendeth the force and Injury when etc. and prayeth Lycence thereof to Imarle untill the next Court and it is granted unto him the Same Day is given to the plantiffe Likewise.

Att which Said next Court Came the Said Anthony Smart (to witt) the 24th day of November Annoque Domini 1696 by Cleborn Lomax his Attorney and the Said William Powell by William Stone his Attorney Likewise Came and the Said Anthony Smart by his Attorney aforesaid and the Said Anthony Smart prayeth that the Said William Powell to his Decleration aforesaid may Answer etc. And now here att this day Came the Said William Powell by William Stone his Attorney and further defendeth the aforesaid force and Injury when etc. And Saith that the Said William Powell hath well and truly performed all the Articles Clauses and Conditions in the Said written Indenture mentioned and Expressed and of this he putts himselfe upon the Country. William Stone.

And the plantiffe alsoe. Cleborn Lomax.

Therefor it is Comanded the Sheriffe that without delay he Cause to Come here twelve etc. by whome etc. and who neither etc. to Reconize etc. becaus as well etc. And now here att this day that is to Say the 24th day of November Annoque Domini 1696 here Came as well the Said Anthony Smart as the Said William Powell by their Attorneys aforesaid and the Jurors thereon Impanelled being [73] Called Likewise Came (Viz.)

James Stoddart foreman, John Chittam, Archibald Edmonson, Samuell Magruder, Thomas Sprigg, Jr., Joshua Hull, John Demall, John Browne Carpenter, John Browne Jr., Hugh Ryley, Charles Hay, Thomas Plumer. Sumoned per Thomas Greenfeild, Sheriffe.

Who to Speake the truth Concerning the premises being Elected tryed and Sworne upon their oaths doe Say wee find for the plantiffe Damages four hundred pounds of tobaccoe.

Therefore it is Considered that the Said Anthony Smart doe Recover against the Said William Powell his damages by occation of breatch of Covenants aforesaid to four hundred pounds of tobaccoe by the Jurors aforesaid in forme aforesaid Assessed and also two thowsand four hundred ninty and four pounds of tobaccoe to the Said Anthony Smart at his Request for his Cost and Charges in this behalfe Expended and by the Court here Adjudged etc. And the Said William Powell in mercy etc.

Att the Request of John Deakins this following Account was ordered to be Entered upon Record. the Said Account Michaell Ashforth brought in barr of John Deakins Action in folio 70. (Viz.)

John Deakins Debtor to Michaell Ashforth.

	Ibs. tobaccoe
To 8 months dyett 800, to one Leavie 202, to a pair Shews 70, to a white shirt and a blew Ditto 250	1322
To 1 peviston waiscoate 250, to a pair Shews paid for you 50, to tobaccoe paid Mr. Hagaman for you 250	0550