Nathaniel Tucker Thos. Boxter Wm. Sparke Thos. Holensworth, Nathaniel Cannon Francis Barnes Nathanl. Scot Ralph Distance John Dixon & Matthew Smith who being duly Elected tryed and Sworne to Speak the truth in the premisses upon their Oath do say wee of the Jury do find, that the Deft did Assume in manner & form as in the Declaration is set forth ——

& Whereupon the said Deft. by his Attorney Conner & prays leave of this Court to Exhibit his reasons in Arrest of Judgmt. upon the Verdict afd. which is Granted unto him —

Vincent Hemsley
a
Andrew King

Reasons in Arrest of Judgmt. in Action of Case &c

And the afd. Andrew saith that the afd. Verdict agt. him the afd. Andrew given on the behalfe of the sd. Vincent to Stand or be prosecuted ought not because the said Andrew saith that the said Writ Declaration & Verdict of and upon the behalfe of the said Vincent & the matter in the Same Contained is insufficient in Law to give or maintaine the afd. Action agt. the sd. Andrew therefore he prayes Judgment & that the afored: Writt Decl & Verdict thereupon be Quasht and held for nought & that the sd. Vincent take nothing thereby &c —

and for Cause

1st There doth not Appear in the said Writt Decl any Note or Memorandum under the hand of the said Andrew or any other Person Lawfully by the said Andrew thereunto Authorized to pay the Debt of a third Person, which by Law in Such Cases Ought to have been —

2dly If any Person or Persons Commence or prosecute any Suit or Action wthout or before Cause he shall never have Judgmt. altho Verdict but the sd. Vincent by his Own shewing had not Cause of Action before the Eleventh Day of Novr. Anno Dom 1710 which is Evident the sd. Vincents above sd. Action was brought Commenced & prosecuted before any Cause of Action the sd. Vincent of the afd. Andrew had &c which renders ye: Afd: Verdict Void & which the sd. Andrew is ready to Verifye wherefore he prays Judgmt. as above &c —

Bowne & Kinge

And now here at this Day to witt, the 27th day of March in the 11th year of her sd. Maties. Reigne &c. Anno Dom 1712 the Reasons Aforesaid & the Arguments And Allegations of both Parties Plt. & Defts. being by the Court here heard maturely Deliberated & fully Understood do Adjudge the afd. Reasons not Good or Sufficient in Law to barr the said Plt. from having Judgmt. upon the Verdict aforesaid Therefore It is Considered by the Court here the day & year last mentioned that the said Vincent Hemsley Recover agt. the said Andrew King as well the Sume of four thousand & two hundred pounds of tobacco in the above said Decl mentioned as also the Sume of One thousand Sixty & one pd. of tobacco Costs of Suit in this behalf laid out & expended the Defendt. in Mercy &c —

A True Copy Test Jo: Thomas Clk

Afterwards (that is to say) on the 29th day of March Anno Dom 1712 in the 11th year of her Majesties Reigne &c the following process was Awarded to be Sued forth upon the above sd. Judgmt. in these words &c

(Queen

Queen Annes County ss

Anne by the Grace of God Queen of Great Brittain &c. to the Sherr of Queen Annes County Greeting wee Command you that you attach any of the Goods Chattles Rights or Creditts of Andrew King of the said County Planter if they Shall be found in your bailywick to the Value of five thousand two hundred Sixty and One pounds of tobacco and when you have the Same so Attached or any part thereof the Same in your Custody Safe Keep so that you have the Same before the Justices of our County Court to be held at Queens Town the 4th day of June next to Satisfye unto Vincent Hemsley of Talbot County Gent as well the Sume of four thousand and two hundred pounds of tobacco as certain debt by the sd. Vincent Hemsley recovered agt. him before the Justices of our sd. Court on the 27th day of March instant whereof he is Convict as the Sume of One thousand Sixty & one pounds of Tobacco Costs of Suit together wth all such Costs as to the said Vincent Hemsley Shall Accrue upon this Our Writt of Attachmt. & that by good and Lawfull men of your bailywick you make Known unto the Person or Persons in whose hands you shall make the Same Attachment that he she or they be & Appear before the Justices of our said Court the Day & place afd. to shew Cause if any he she or they have why the Same Goods Chattles rights or Creditts so Attached Shall not be Condemned in his her or their hands According to Law for toward Satisfaction of the Debt & Costs above Specifyed and how you shall Execute this Writ that you make Known unto Our said Justices at the Same Day & place Hereof faile not at your perrill and have you there this Writt Witness Wm. Turloe Gent Chief Justice of our sd: Court the 29th day of March in the Eleventh year of our Reign &c. Anno Dom: 1712

Jo: Thomas Clk

At which sd. 4th day of June Anno Dom 1712 being the day of the returne of the sd. Writt Came the said Sherr. & made returne thereof thus Endorst Viz.

By Virtue of the wth. Writ to me Directed to the Justices wthin mentioned I Certifye that I have Attached of the Goods & Chattles of the wthin named Andrew King to the Value of Six thousand pounds of tobacco as Appears by the Schedule hereunto Annext to satisfye unto the wthin mentioned Vincent Hemsley the Debt & Costs wthin mentioned that is to say One Negroe woman Appraised by Jno. Green & Edward Harris to Six thousand pounds of tobacco & have also made Known unto the above mentioned Andrew King that he be & appear at the time and place wthin mentioned to shew Cause if any he hath &c why the Same shall not be Condemned According to Law before Robert Noble and Jas. Newman good & Lawfull men of my bailywick as this Writ directeth Returned — Robt Hemsley Sherr:

Queen Annes County ss

Wee the Appraisers being Lawfully Summoned and Sworne by Robt Hemsley Sherr. of the said County have Appraised a Certain Negro woman being the proper Negroe of Mr. Andrew King of the said County to the Sume of Six thousand pounds of tobacco to Satisfye a Certain Debt & Cost recovered agt. the sd. Andrew King by Vincent Hemsley of Talbot County Gent. In Testimoney whereof wee have hereunto Set Our hands & Seales the first Day of Aprile Anno Dom 1712 John Green Seal Edward Harris Seal

June the 24th 1712 Came here before mee Major William Turlo Chief Justice of Queen Annes County Court the above named Andrew King & produced her Majtys —

Writt