Vicinis Domini Diane Thomas Bennett Armig.
Robert John Lane Walter Hawkins and William Gray
and John Bringhurst who being duly sworne to
say the truth in the premisses upon
their oaths say that the said John Brannock
did demise upon Wednesday in manner and form
as the plaintiff hath declared against him whereupon
the said defendant by his attorney aforesaid humbly prays
the Court here that they will not proceed to judgment
upon the verdict aforesaid for that the plaintiff
declares against him upon a particular account
which the judges to be into Court brought with the
declaration whereas the account as above appears
to be brought into Court is not a particular account
as the plaintiff alledges but altogether too generall
and uncertaine for the Jury to find that the defendant
made such assumption as above they have found
which by the Court being seen and duly considered for
that it seems to the Court here that the plaintiff account
as above stated is a particular account and not unlike
to Grocers Bills considered by the Court here the Jury
say that your said Memorialist the said Jacob
Lambertson Grocer against the said John Brannock
at cost the sum of four thousand six hundred fifty
one pounds and a quarter of a pound of tobacco is damages
by reason of the premisses to the same
of tobacco by the Court here adjudged to be taken off
the Jury in the order of Court and departed and
to depart in Jury &c

Matthew Bromley
&c
Robert Angell

Hannah Mason Executrix
of the last will and testament
of Robert Mason late of Colling-
ton in the County of Wilts Gent deceased
In large under &c

(Anno)

Anno Regni Reginæ Annæ nunc Magnæ Britanniæ Franciæ
et Hiberniæ Reginæ Fidei Defensoris &c Sexto Apud
Devizes in Comitatu Wiltes Coram Johanne Powell Armig.
Thomas Powell Armig. Thomas Bowyer Armig. Justiciariis
Domine Reginæ ad Pacem in Comitatu Wiltes Assignatis
Tertio die Maii Anno Domini Millesimo Septingentesimo
Sexto Hannah Mason Executrix Testamenti
Robert Mason defunct Plaintiff and Robert
Mason Executor Testamenti Robert Mason
defunct Plaintiff Demandant Against
Thomas Bromley Esq. Defendant the said Plaintiff
Demands Against the said Defendant as well for
the sum of Two thousand One hundred and fifty pounds of
Tobacco a Certaine Debt to them Owing as Damages
the sum of three hundred and Twenty One pounds of Tobacco
Cost of Suite and for that Defendant Hath not Wherewith
Gained in the Same Wherefore Command you that by good and Lawfull men
of your Bailiwick you make Known unto the said Court
Hereafter and Answer thereto that they be and appear before the
Justices of our Soveraigne Lady the Queene at Westminster
the Eight Tuesday of September next to the end and Intent
that Day Tuesday of September next to the said Plaintiff Demandant
Jury Wherein the said Defendant Hath not Wherewith
for the Debt and Cost in the Judgment aforesaid specified
if to them it Shall Seem meet and Forasmuch as Shall Remain
the writ Aforesaid make Known to the Justices of our said
Court at the Day and place aforesaid and how you have
this writ witness Thomas Powell Esq. Chief Justice of
our said Court the 4th Day of May in the 4th year of
our Reigne et Anno Domini 1705

Wheatley

Attested

At which said Eight Tuesday of September to wit the
25th Day of September 1705 Came the Day of the
Return of the said writ Came the said Hannah
Mason in her Capacity of Executrix to the Last
Will and Testament of the said Robert Mason
and the Coroner of Wiltes County to wit makes
Return of the Recipiens Precept that he has made
Proclamation before Rogr Grayston and Thomas Baxter
Esq and Knight men of the Bailiwick within
to wit Legitimate and Lawfull