

came a Jury to wit Henry Tvey James Martin John Johnson John
 Meacom Francis Newson Enos James John Kirby Tho Fitzhugh
 Edmund Day George Summerell Jos Wright Jt Burwell Williamson
 who being elected tried & sworn the truth to speak upon the issue were
 sent out of court to consult of their Verdict & returning by
 consent of the parties & with the assent of the Court Burwell
 Williamson one of the said Jurors was withdrawn & the rest
 of the jurors from rendering any verdict discharged & the cause is
 continued until the next court on the motion & costs of plaintiff

George Jordan plff

Simon Turner & Lucy his wife exors
 of John Little decd who was admor
 of Drury Bynum decd defendants

On a writ of scum facias
 on a judgment of this court
 obtained by the S^r George
 Jordan agst the S^r John Little
 in his lifetime as adm^r of the
 S^r Drury Bynum

This day came the parties by their attorneys
 & thereupon came also a jury to wit Henry Tvey James Martin John
 Johnson John Meacom Francis Newson Enos James John Kirby
 Tho Fitzhugh Edmund Day George Summerell Jos Wright and
 Burwell Williamson who being elected tried and sworn the truth
 to speak upon the issue joined the attorney of the said defendants
 offers in evidence to the said jury to support the issue aforesaid
 on their behalf an act of the general assembly of this colony made
 in the twenty second year of the reign of our late sovereign king George
 the second intituled an act for preventing excessive & deceitful gam-
 ming which the attorney of the said plaintiff opposed alleging
 that the same was neither legal evidence or pertinent to the issue
 now to be tried by the jurors aforesaid whereupon the court were
 of opinion that the aforesaid act of assembly was not legal evidence
 to support the issue aforesaid on the part of the S^r defendants &
 thereupon the jurors aforesaid upon their oath aforesaid do say
 that the bond on which the recovery of the judgment aforesaid
 in the sum facias was had was not given & entered into by the
 said Drury Bynum decd to the said plaintiff for the repayment
 of any money knowingly lent by the said plaintiff to the said Drury
 for horseracing Therefore it is considered by the Court that the plffs
 have execution for thirty pounds thirteen shillings together with
 interest for the same to be computed after the rate of five per
 Centum Annuum from the eleventh day of June one thousand
 seven hundred & sixty till paid one hundred & nine pounds
 of net value to be levied of the goods & chattels of the said
 Drury Bynum in the hands of the said defendants if so
 much thereof they have to be administered of the debt & costs in
 the aforesaid writ of scum facias mentioned according to the four