and says that he did not assume upon himself in manner and form as against him the plaintiff hath complained & this he prays may be enquired of by the country & the plaintiff doth so likewise and so the parties being at issue thereupon came also a jury to wit William Evans William Hart Nicholas Bristow John Crichlow James Crichlow Levi Walker John Jenkins James Douglas Robt Adams Exum Drake Richard Drake and John Drake who being elected tried and sworn the truth to speak upon the issue joined upon their oath do say that the defendants did assume upon himself in manner and form as against him the plaintiff hath complained and they do assess his damages by occasion thereof to six pounds four shillings and three pence therefore it is considered by the court that the plaintiff recover against the said defts his damages aforesaid in form aforesaid and his costs by him about his suit in this behalf expended & the defts in mercy &c

James Kells & Peggy Kells by Richard Blow their next friend Camplts.

Against

Samuel Kells Richard Kells William Blow & Eliza his wife Henry Blow and Polly his wife Defts.

In Chancery

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This cause was this day docketed by consent. Heard on the bill and answer an consideration whereof it is decreed & ordered that Robt Exum Thomas Gray Edward W. Tyler John Clayton Elias Lane Dixon Kitchen and Shadrach Boykin or any three of them divide the tract of land called round hill and the slaves belonging to the estate of Saml Kells decd equally among the Camplts and the defts having regard as well to quality as quantity of land & make report thereof to this Court