And the said Defendant by his attorney aforesaid saith
that he ought not to be barred from suing and maintaining
his action aforesaid for that he saith he is not a Negro
and ready to the Defendant and the said Praying may be
inquired of by the Country

And the Defendant alleg'd

Whereupon Command is given to the Sheriff of
Northampton County that he summon a lawfull Jury
Come here Tomorrow at his house and who neither of
to Recognizing at Burgess or Vestry at which Court
aforesaid the said Sheriff the same Day Come and
Make Return that he hath the Jury Tomorrow at
his house according to Command

And Also the Day to wit the same Day
and year Come as well the said parties by their
attorneys aforesaid and the Jurors of that Jury summoned
Being called likewise Come to wit John Downing
Gent Thomas Taylor Thomas Beckles Robert
Robert Robert Hayden Richard Mapp John Gordon
Senr Senr Francis Lawrence Mill William Anthony Guarrieran
and William Jump to the Jury duly sworn Who
being Elected Tried and sworn in the premises upon
their Oaths do say that if the Court shall think fit
that the Defendants Amount proved be sufficient
by the Act of Assembly to Discharge his Bond then
the said Edward Somerfield is indebted unto the
said John Brannock in the sum of three
hundred fifty pounds of Tobacco which ought
Remain due and unsatisfied as by the said
Brannock Amount appears but if not that then
the said Edward Somerfield is not Debtor indebted
unto the Defendant

(Whereupon)

Whereupon for that the Court here will advise
of and upon their understanding their Judgment in
the premises Day is given to the parties in the plea
aforesaid until the 2d Day of this instant in the
same Court to hear their Judgment for
that the said Court is not Clr. At which said 2d Day
of May 1706 in the same Court Come the said parties
by their attorneys aforesaid And Whereupon all and Singular
the premises being by the Court here duly understood
and Matters Debated being thereupon had for that
it appears to the said Court that the Defendants
Amount proved is sufficient by the Act of
Assembly to Discharge his Bond

It is Considered by the Court here that same
2d Day of May 1706 that the said Edward
Somerfield hath nothing by his writ aforesaid
mentioned for his false Plaint and that the said
John Brannock go thereof without Day &c
And also it is Considered by the said Court that
the said John Brannock Recover against the said
Edward Somerfield his Costs of
suit by the Discretion of
the Court here adjudged unto him for his Cost and Charges
In this behalf Did and Expended &c

Edward Somerfield
ag.t
Jno Brannock

Maryland ss
John Brannock alias Dict John
Brannock of Dorchester County Gent
was summoned to answer unto Edward
Somerfield of the same that he render unto him the
sum of quantity of Six thousand Eight hundred pounds
of good Leaf Merchantable Tobacco and Cask which
unto him he owes and unjustly Detaineth &c

And