said Thomas Brooke is part of the said Sum of two hundred & forty Eight Pounds Seventeen Shillings & Six pence Sterling mentioned in the Condition of the Writing Obligatory aft & alledged by the Plea aft to be paid by the said Thomas Brooke to the said Mamomara & not any Part of any other or different Sum of Money And which said Sum of two hundred & forty Eight Pounds Sterling so recovered by the said Richard Smith against the said Thomas Brooke he the said Thomas after the said Judgment so obtained aft Viz^t the fifth Day of May in the Year of our Lord Seventeen hundred & twenty Six in Ann Arundell County aft for the avoiding any further Costs Charges & Damages did pay & Satisfye to the said Richard Smith And this he the said Thomas Brooke is ready to verifye Wherefore he prays Judgment & his Debt aft together with his Damages occasioned by the Detention of his Debt to be adjudged to him &c ——

And the said Michael Mamomara saith that the Plea aft by him the said Thomas Brooke in Manner & form aft above by replying pleaded & the matter in the same Contained are insufficient in Law for the said Thomas Brooke to have & maintain the Action aft thereof against the said Michael Mamomara to which the same Michael Mamomara hath no need nor by the Law of this Land is held in any wise to answer And this he is ready to verifye Wherefore for want of a Sufficient Replication in this part the same Michael Mamomara as before prayeth Judgment & that the aft Thomas Brooke from his Action aft thereof against him the said Michael Mamomara having may be precluded &c ——

And the said Thomas Brooke for that he hath above in his replication alledged Sufficient matter in Law to have & maintain his Action aft against him the said Michael Mamomara which he is ready to verifye which matter the aft Michael hath not gainsayed nor thereunto in any wise answered But the same to admit for true hath altogether refused Wherefore as before the said Thomas Brooke prays Judgment & his Debt aft together with his Damages occasioned by the detention of his Debt to be adjudged to him &c ——

Whereupon all & Singular the Premisses by the Court here being Soon heard fully understood & mature deliberation had for that it seems to the Court here that the Plea of the aft Thomas Brooke above in replying pleaded & the matter therein Contained are sufficient in Law for the said Thomas Brooke the Action aft against him the said Michael Mamomara to have & maintain ——

Therefore it is Considered by the Justices here the 21st Day of May Anno Dom 1728 aft that the said Thomas Brooke Esqr recover against the said Michael Mamomara Son & heir of Thomas Mamomara Esqr late the Sum of four hundred & Ninety Seven Pounds fifteen Shillings his Debt aft as the Sum of
1517. Pounds of Tobacco by the Court here unto him adjudged for his Damages occasioned by the Detention of that Debt And the said Michael in Mercy &c ——

Whereupon the said Michael by his Attorney prays an Appeal from the Judgment of this Court to the high Courts of Appeals which is granted by the Court And it Ordered that the Record thereof be transmitted accordingly

October Prov^l Term 1726

Ply Ex^r John Gresham & Sarah Gresham Widow & Exx of John Gresham Esqr dec^d — — vs. Def^t Roger Woolford — — —