leave to imparle hereunto untill next Court and he hath it And the same Day is given to the Pltfs Also —

At which said next Court to wit the 17th Day of May Anno Dom 1737 Comes again as well the said John White & Abraham Taylor by their Attorney afs as the said Aaron Lynn by his Attorney afs And the said Aaron Lynn by his said Attorney as before Defends the force & Injury when &c And Saith that he did not Assume upon himself in Manner & form as the said John and Abraham above against him Complains And of this he puts himself upon the Country And the plaintiffs also —

Whereupon for trying the Issue afs Command is given to the Sheriff of Ann Arundell County that he Cause to Come before the Justices of his Lordships Provincial Court at Annapolis the third Tuesday of October next or before the Justices appointed to take the Assizes in his County if they shall before that time to wit on Monday the twelfth Day of September next to the County Courthouse in the said County Come twelve good & Lawfull men of his Bailywick by whom &c who neither &c to recognize &c because as well &c —

Afterwards the Process Continued between the parties afs on the plea afs by the Jury being put thereon in respite here untill this third Tuesday of October next Unless the Justices of his Lordship the Lord Propry to take the Assizes in the Assizes in the said County assigned on Monday the twelfth Day of September next to the County Court house in the said County should Come —

And now here at this Day to wit the 18th Day of October Anno Dom 1737 Comes again into his Lordships Provincial Court here as well the said John White & Abraham Taylor by their Attorney afs as the said Aaron Lynn by his Attorney afs And the Justices of Assize before whom &c send here their Record before them had in these Words Viz:)

Afterwards to wit at this Day & place last above mentioned before the Honble Robert Gordon Esq one of his Lordships Justices of the Provincial Court & Benjamin Young Esq one other of the Justices of the said Court assigned to take the Assizes in Ann Arundell County according to the form of the Act of Assembly &c Came as well the within named John White & Abraham Taylor by their Attorney afs as the said Aaron Lynn by his Atty afs And the Jurors of that Jury whereof mention is above made being Called likewise Come to wit Philip Jones, James Deal, Henry Hall, John Burley, William Johnson John Howard Edward Gaither Caleb Dorsey Jacob Holland, Richard Warfield Junr Richard Dorsey & Edward Dorsey who being duly Elected tryed & Sworn to say the truth in the premisses upon their Oath do say that the said Aaron Lynn undertook in manner & form so as the afs John White & Abraham Taylor above against him Complain & they assess the Damages of them the said John White & Abraham Taylor by means of the not performing the premises & undertakings afs over & above their Costs & Charges by them about their Suit put unto in this behalf to the Sum of Sixty Seven pounds Six Shillings & ten pence half penny Silver — Test — Th Jennings Clk

Therefore it is Considered by the Justices here the 18th Day of October (Anno)

Anno Dom 1737 afs that the said John White & Abraham Taylor recover against the said Aaron Lynn as well the Sum of Sixty Seven pounds Six Shillings and ten pence half penny Silver their Damages afs by the Jurors afs in form afs assessed as also the Sum of

2088. Pounds of Tobacco by the Court here unto the said John White & Abraham Taylor on their Assent adjudged for their Cost & Charges by them about their Suit in this behalf laid out & expended And the said Defdt in Mercy &c —

Ff James Russell } Command was given to the Sheriff of Somerset County that
vs } he should take Willm Kitchen late of Somt County Mercht otherwise
WB Willm Kitchen } Called William Kitchen Mercht if he should be found in his Bailywick & him should safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the third Tuesday of May then next to answer unto James Russell of a plea that he render unto him the full & just Sum of Sixty Nine pounds two Shillings & Eight pence of good & Lawfull Money of Great Britain which to him he Owes & unjustly detains And that thereof he the said Sheriff should not fail &c. At which said third Tuesday of May to wit the 17th Day of the same Month Anno Dom 1737 being the Day of the Return of the said Writ Comes the said James Russell by Edmund Jennings his Attorney And the Sheriff of Somerset County to whom the same writ was directed likewise Comes & makes return thereof to the Court here thus Endorst Viz: Cepi

Jos: Martchester Shff

Whereupon the said William Kitchen being Called appears and thereupon at the Prayer of the Pltff by his Attorney afs the said William Kitchen is adjudged to give Special Bail to the Action afs But for want thereof he is Committed to the Custody of the Sheriff of Somerset County there to remain untill &c Sheriff being present in person took Charge of him accordingly —

And thereupon the said James Russell by his Attorney afs declared against the said William Kitchen in the plea afs as follows Viz:

Maryland ss — Willm Kitchen late of Somt County Mercht otherwise Called William Kitchen Mercht was Summoned to answer unto James Russell of a plea that he render unto him the full and just Sums of Sixty Nine pounds two Shillings & Eight pence of good & Lawfull Money of Great Britain which to him he owes & unjustly detains.

And Whereupon the said James Russell by Edmund Jennings his Attorney Saith that Whereas the said William Kitchen the third Day of June in the Year of our Lord One thousand Seven hundred & thirty five in Prince Georges County by his Certain Writing Obligatory Sealed with his Seal there in Court produced whose Date is the Day & Year afs acknowledged himself to be held & firmly bound unto the said James Russell in the afs Sum of Sixty Nine pounds two Shillings & Eight pence of good & Lawfull Money of Great Britain to be paid to the said James Russell his Certain Attorney Executors or Administrators when he should be thereunto requested Nevertheless the afs William Kitchen (the)