unto the above named James Brooke as aforesaid with Legal Interest from the date hereof Witness my hand and Seal the day and Year above written —

Which being read and heard the same Benjamin says that the said James his Action aforesaid against him the same Benjamin to have or maintain Ought not because he says that he the same Benjamin after the first day of April in the same Condition mentioned and before the day of issuing the Original Writ of the said James to wit the Tenth day of May in the Year of our Lord Seventeen hundred fifty five at Kent County aforesaid paid to the said James the Principal Money of Thirty five pounds in the Condition mentioned and the whole Interest thereon then due and this he is ready to verify wherefore he prays Judgment if the said James his Action aforesaid thereof against him the same Benjamin to have or maintain Ought —

And the aforesaid James saith that he by any Thing by the aforesaid Benjamin above by Pleading alledged from having his Action aforesaid against the said Benjamin ought not to be precluded because he saith that the aforesaid Benjamin did not pay to the said James the said Principal Sum of Thirty five pounds in the Condition aforesaid mentioned and the Interest thereon in Manner and Form as the aforesaid Benjamin by pleading hath alledged and this he prays may be inquired of by the Country — And the aforesaid Benjamin in like manner —

Whereupon for Trying the issue aforesaid Command is given to the Sheriff of Kent County that he cause to Come before the Justices of the Provincial Court at Annapolis the third Tuesday of May next or before the Justices appointed to take the Assizes in his County if they shall before that Time to wit on Monday

(the)

the Twenty fifth day of April next to the County Court House in the said County come Twelve good and Lawfull Men of his Bailiwick by whom &c. who neither &c. to recognize &c. because as well &c. Afterwards the Process continued between the Parties aforesaid in the Plea aforesaid by the Jury being put thereon in Respite here untill the third Tuesday of may next unless the Justices of his Lordship the Lord Proprietary to take the Assizes in the said County Assigned on Monday the Twenty fifth day of April next to the County Court House in the said County shall come —

And now here at this day to wit the third Tuesday of May being the Seventeenth day of the same Month Anno Dom. 1757 Comes again into his Lordships Provincial Court here as well the said James Brooke by his Attorney aforesaid as the aforesaid Benjamin Vansant by his Attorney aforesaid but the Sheriff hath not sent his Writ —

Nevertheless the said Benjamin Vansant by his Attorney aforesaid Relinquishing the Averment above by him pretended say that he cannot gainsay the Action aforesaid of the aforesaid James Brooke against him brought nor but that the Writing is the Deed of him the said Benjamin Vansant nor but that he Owes to the said James Brooke the aforesaid Sum of Seventy pounds Current Money of Maryland in manner and form as as the aforesaid James Brooke above against him hath declared

Therefore it is Considered by the Justices here that the said James Brooke recover against the said Benjamin Vansant as well Seventy pounds his Debt aforesaid as also the sum of

Pounds of Tobacco by the Court here unto him on his Assent adjudged as well for his Damages Sustained by means of detaining that Debt as for his Costs and Charges by him about his Suit in this —

(behalf)