commissioned and qualified / neither of whom was of the Quorum could by reason of the Severity of the Weather meet according to the last Adjournment to be held the same Court and attend the Business therein by means whereof the same Court and the Business therein were discontinued and the Plaint plea and Proceedings aforesaid remains without Day And afterwards by Virtue of certain Act of General Assembly of this Province made and passed at Annapolis on the first Day of April in the year of our Lord Christ one thousand Seven hundred fifty and Six the same plaint plea and Proceedings were revived and continued to the Second Tuesday of June then next ensuing the same Day was given by the Act aforesaid as well to the said Hugh Mathews as to the said Mary Porter in the Court aforesaid at which said second Tuesday of June month here again as well the aforesaid Hugh Mathews by his Attorney aforesaid as the aforesaid Mary Porter by her Attorney aforesaid And thereupon the said Hugh Mathews by his attorney aforesaid prayeth that the aforesaid Mary porter to his Declaration aforesaid may Answer Whereupon the aforesaid Mary Porter by her said Attorney as before defends the Force and Injury when and so forth and saith that the aforesaid Hugh Mathews his Action aforesaid thereof against her to have and maintain ought not because she saith that the aforesaid Hugh Mathews hath not declared on his Oath or Affirmation according to the Form of the Act of Assembly in such Case lately made and provided that no part of the money mentioned in the writing Obligatory aforesaid was paid or that he had not received any thing else towards Satisfaction for the same or some part thereof and this she is ready to verify Wherefore for want of such Oath or Affirmation being made by the same Hugh she prays Judgment if the said Hugh his Action aforesaid thereof against her to have or maintain ought and so forth And now here at this Day to wit the same Second Tuesday of June aforesaid the said Mary Porter relinquishing her Averment aforesaid by her the said Mary Porter above pretended saith that she cannot deny the Action aforesaid of him the said Hugh Mathews nor but that he She the said Mary Porter doth owe unto the aforesaid Hugh Mathews the aforesaid Sum of forty eight pounds eight Shillings current money of Maryland in manner and form as the aforesaid Hugh Mathews above thereof against her complains And thereupon the said Hugh Mathews prayeth Judgment and that the Debt aforesaid so acknowledged together with his Costs and Charges by him about his suit in that part sustained to him may be adjudged and so forth Therefore it is considered by the Court of the Lord Proprietary now here that the said Hugh Mathews do recover against the said Mary Porter his Debt aforesaid and also three hundred twenty and nine pounds of Tobacco for his Damages which he Sustained as well by Occasion of the Detention of that Debt as for his Costs and Charges by him about his Suit in that part laid out and expended to the same Hugh Mathews by the Court here with his Assent adjudged of the Goods and Chattels which were of the aforesaid James Porter at the time

(of)

of his Death in the Hands of the said Mary Porter to be Administred to be levied if so much thereof in her Hands she hath not then the Debt and Damages aforesaid of the proper Goods and Chattels of her the said Mary Porter to be levied And the aforesaid Mary Porter in Mercy and so forth

Test Mr. Bordley Clk

In Testimony that the aforegoing is a true Transcript from the Record and Proceedings of the Court first aforementioned I have hereunto set my hand and affixed the Public Seal of Cecil County aforesaid this Eighteenth Day of March in the year of our Lord Christ one thousand Seven hundred fifty and eight

(Seal)

Francis Ley Clk of Cecil Coty aforesd

And now here at this day to wit the 11th Day of April Anno Domini 1758 Comes the aforesaid Mary Porter Administratrix of James Porter by Daniel Dulany her Attorney into his Lordships Provincial Court and saith that in the Record and Proceedings aforesaid likewise in the rendering the Judgment aforesaid it is manifestly erred in this that by the Record aforesaid the Judgment aforesaid was rendered for the aforesaid Hugh against her the said Mary whereas by the Laws of the Land that Judgment ought to have been rendered for the said Mary against the aforesaid Hugh and the aforesaid Mary prays that for that Error and others in the record and Process aforesaid appearing the Judgment aforesaid may be reversed annulled and for nothing held and that she the said Mary to all things which by occasion of the Judgment aforesaid she lost may be restored

And Whereupon the said Doctor Hugh Mathews by Stephen Bordley and James Hollyday his Attorneys appear and say that in the said Record and Process aforesaid and also in Rendering Judgment thereon it is nothing Erred and pray the same Judgment may in all things be Affirmed &c And thereupon as well the said Mary Porter Administratrix as aforesaid as the said Doctr Hugh Mathews pray that the Court here of the Lord Proprietary will proceed as well to the Examination of the Record and Process aforesaid as of the matters above Assigned for Errors thereon &c Whereupon for that the Court here are not advised of their Judgment of and upon the Premisses aforesd day thereof is given to the said Parties to hear thereof the Judgment until next Court for that the said Court yet are not &c At Which said next Court to wit the 12th Day of September Anno Domini 1758 Come again the said Parties Plaintiff and Defendant by their Attorneys aforesaid but for that the said Court here as yet are not advised of their Judgment of and upon the Premisses day thereof is further given to the said Parties to hear thereof their Judgment until next Court for that the said Court

(are)