And that he hath not received any part a parcel of the demand account any further than an Acc the said John Nelson may have against him the amount of which he does not Exactly Remember to the best of his knowledge —

Thos Smythe —

And the said John Nelson by his Attorney aforesaid Defends the force and Injury when &c and prays leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the ninth day of March Anno Dom One thousand Seven hundred and Sixty two Come again the said Parties Plaintiff and Defendant by their attorneys aforesaid and the said Defendant by his said attorney prays further leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Eighth day of June Anno Dom One thousand Seven hundred and Sixty two Come again the said Parties Plaintiff and Defendant by their attorneys aforesaid and the said Defendant by his said attorney prays further leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the tenth day of August Anno Dom One thousand Seven hundred and Sixty two Come again the said Parties Plaintiff and Defendant by their attorneys aforesaid and the said Defendant by his said attorney files the following Account in Bar to wit

1760 Robert Hallam Saila of the Snow Alexander John Nelson Master Dr

	Stg
To 2 Months advanced Wages	£3.13.0
To 8 Gallons Brandy	2 —
To 12 lb Tobacco	1.10.0
To 1 Flannel Waistcoat 2 pr Drawers & 1 Shirt	2 —
To a Dead Man's Cloaths	1.1.6
	£10.6.6

Errors Excepted pr John Nelson —

John Nelson within named made Oath on the Holy Evangelists of Almighty that the within Acct is Just and true to his knowledge & he never did Directly or Indirectly receive any part or parcel of the money charged as due by the same Account nor anything in Security or Satisfaction for the same Before me one of his Lordships Justices of the Provincial Court this 25th day of Sept 1761 — Lumbsdon Geo Stewart —

And thereupon the aforesaid Defendant by his said attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is Given to the Plaintiff also —

At which said next Court to wit the Ninth day of November Anno Dom One thousand Seven hundred and Sixty two Come again as well the said Robert Hallam by his attorney aforesaid as the said John Nelson by his attorney aforesaid and the said John Nelson by his said attorney as before Defends the force and Injury when &c and says that he did not assume upon himself in manner and form as the said Robert Hallam above against him Complains and of this he puts himself upon

(The)

The Country and the aforesaid Robert in like manner, Whereupon for trying the Issue aforesaid Command is given to the Sheriff of Ann County that he cause to come here Twelve &c by whom &c and who neither &c to recognize &c because as well &c of which said Precept the Sheriff of Ann County to wit Thomas Johnson Gent makes return that he has here ready twelve &c as by the said Precept he was commanded so to wit, Robert Darrington Jun of Thomas, John Hood, Thomas Dorsey Jun of Basil, Joshua Dorsey Son of Henry, Robert Rogan, Richard Chaney Jun John Miller, Stephen Nathins, John Lane, Isaac Hall, Philip Lindall, and Richard Harwood Jun who being duly elected tried and sworn to say the truth in the premises upon their Oath do say that the said John Nelson did assume upon himself in manner and form as the said Robert Hallam above against him hath declared and also of the Damages of the said Robert Hallam by means of his non performance of his promise and undertaking aforesaid over and above the Costs and Charges by him about his Suit in this behalf laid out and expended to the sum of Six Pounds eleven Shillings Sterling money Therefore it is considered by the Court here the Day and year last mentioned that the aforesaid Robert Hallam do recover against the aforesaid John Nelson ainsi the sum of Six pounds eleven Shillings Sterling money his Damages aforesaid by the Jurors aforesaid assessed as also the sum of pounds of Tobacco for his Costs and Charges by him about his Suit in this behalf laid out and expended by the Court here to him the said Robert Hallam on his assent adjudged, and the aforesaid John Nelson in Mercy &c

Memorandum before the Jurors aforesaid went from the Bar the Defendant by his attorney aforesaid filed the following Bill of Exceptions Viz

Robert Hallam vs John Nelson } The Plaintiff to support the Issue on his part Offered in Evidence the following Account and Produced to Viz

1760 Capt John Nelson Dr in Acct with Robert Hallam Contra Cr

To my Wages on Board the Snow Alexander now lying in Chester River from the 11th Nov 1760 to the 16th Aug 1761 being 9 months & 5 days at £1.17.6 pr month	16.17.6

18th Aug 1761 Came the within named Robert Hallam before me the subscriber One of his Lordships Justices of the Peace for Kent County and made Oath on the Holy Evangelists of Almighty God that the within Account is Just and true as it stands stated and that he hath not received any part a parcel of the demand in any further than an Account the said John Nelson may have against him the amount of which he does not exactly Remember to the best of his knowledge

Thos Smythe —

Upon which the Defendant produced to the Court and Jury the following Entry to wit

Agreed this thirteenth day of October in the year of Our Lord One thousand Seven

(Hundred)