Aforesaid above pleaded he the said Benjamin hath no necessity nor is he bound by the law of the land in any manner to answer and this he is ready to verify wherefore for want of sufficient pleas in this behalf he the said Benjamin prays judgment and his damages by occasion of the premises to be adjudged to him andsoforth And the said Benjamin as to the sixth plea of the said Isaac saith that by any thing above alledged by the said Isaac in his said sixth plea he the said Benjamin from having and maintaining his action aforesaid against the said Isaac to be precluded ought not because he saith that the aforesaid Isaac did not surrender To the ag.t Benjamin his term of years then to come and unexpired of and in said tenements with the appurtenances aforesaid and all his the said Isaacs estate right title and interest therein as the aforesaid Isaac above hath alledged and this he prays may be enquired of by the Country andsoforth And the said Isaac in as much as in his said second plea he hath alledged sufficient matter to preclude the said Benjamin from having and maintaining his said action which he the said Isaac is ready to verify which matter the said Benjamin doth not deny nor in any wise answer it but totally refuses to admit to verifying thereof as before prays judgment and that the said Benjamin may be precluded from having his said action andsoforth And as to the replication of the said Benjamin to the third plea of the said Isaac the said Isaac saith that the said replication of the said Benjamin and the matter therein contained are not sufficient in for the said Benjamin to have and maintain his action aforesaid against him the said Isaac and that he has no need nor is he obliged ~~[illegible]~~ by the law by the law of the land to answer nor is he obliged by the law of the land to rejoin to the said replication in form and manner aforesaid pleaded and and this he is ready to verify wherefore for want of a sufficient replication in this behalf the said Isaac prays judgment that the said Benjamin may be barred from having his action aforesaid against him andsoforth And for causes of Demmurrer according to the form of the statute in such case provided he assigns the following causes to wit, first that

that the said replication is informal secondly that it tenders an immaterial issue And the said Isaac in as much as he hath alledged in his said fourth fifth seventh and eighth pleas aforesaid sufficient matter to preclude the said Benjamin from having and maintaining his said action which he the said Isaac is ready to verify which matter the said Benjamin doth not deny nor in any wise answer it but totally refuses to admit the verifying thereof as before prays judgment and that the said Benjamin may be precluded from having his said action andsoforth And as to the replication of the said Benjamin to the sixth plea of the said Isaac the said Isaac saith that the said replication of the said Benjamin and the matter therein contained are not sufficient in law for the said Benjamin to have and maintain his said action against him the said Isaac and that he has no need nor is he bound by law to answer to the replication and manner and form as aforesaid pleaded and this he is ready to verify wherefore for want of a sufficient replication in this behalf the said Isaac prays judgment and that the said Benjamin may be barred from having and maintaining his said action against him the said Isaac andsoforth. And for causes of demurrer according to the form of the statute in such case made the said Isaac shews the following first that the said plea is informal and secondly that it tenders immaterial issue and the said Benjamin saith that the said replication to the said third pleas aforesaid in manner and form aforesaid by him the said Benjamin above in pleading replied and the matter in the same contained are good and sufficient in law to have and maintain the action aforesaid against the said Isaac which said replication and the matter and things therein contained the said Benjamin is ready to verify &c. And because the said Isaac hath not answered the said plea nor hitherto hath any way gainsaid the same the said Benjamin prays judgment &c. Whereupon command is given to the sheriff of Baltimore county that he immediately cause to come here twelve good and lawful men of his bailiwick by whom andsoforth Who neither andsoforth To recognise andsoforth because as well andsoforth which said sheriff to wit Philip Grayble Gentleman maketh return that he hath here twelve good and lawful men of his bailiwick by whom andsoforth who neither andsoforth as he was commanded which said Jury being called