

Liber P. R. enemies of the province w^{ch} were then expected to assault it, wth the privity, & vpon the motion & advise of him the said Giles Brent; the manage & command of w^{ch} expedition for the greatest part of it was committed & entrusted to him the said Giles Brent, by order of the Leiuten^t Gräll & by him voluntarily accepted & vndertaken; Neverthelesse he the said Giles Brent, afterward, of some private disgusts ags^t the Leiuten^t Gräll, or of other secrett reasons, of his owne discretion, & by his default did not vse & exequite the Commission given to him in that behalfe, & thereby suffered the whole enterprise to fall to the ground to the overthrow of all the hopes & charges of that designe, wherin the honor & safety of his Lo^{ps} colony was highly concerned, and to the damage of his colony in six thousand w^t of tobacco & vpwards: besides the losse & hindrance of pticular persons. And this he is ready to averre. And for this he bringeth his suit.

26. attach any the corne or tobacc of John nevill, to shew cause why iudgem^t should not be given ags^t him vpon his acknowledgem^t of 816^t tob due to John hollis sometime before the first of february next, vpon pill of iudgem^t return Eod. to sheriff S. mar

p. 56 28 Cutbert ffennick gent demandeth of John Prettiman six hundred w^t of tob for satisfaction of a trespasse in killing a steere calfe of the plf^s

summons to warne the def^t to answer on friday next, on pill of iudgem^t in absence.

mr Brent's answer
to the civill bill Eod: The said Giles Brent reserving to himselfe power in due time to make those allegaõns & plees w^{ch} he hath whereby to prove that he is wrongfully and without ground chargd with all or ought whatsoever w^{ch} casts aspersion of default vpon him conteind in the said bill, saith for present answer that by his not exequiting the said Commission the omission of which he is chargd with in the said bill (which omission (made so as it was) he is like wise ready to iustifie to have beene made in all respects rightfully and warrantably, the said colony is not endamaged the somme of tobacco charged in the said bill, and for triall hereof he putteth himselfe vpon his country.

Giles Brent

And the said John Lewger saith that by the said Giles Brent his default in not exequiting the said Commission the said colony is indamaged the somme of six thousand pounds of tob & this he is ready to averre & prove, as the Court shall think fitt.

John Lewger