June ye 19th 1702 — Edward Jessop Dr. to James Heath of Potoxant

170 2/3	To a Gunni — 3 00	To 12 Ells Linnen att 3s p El	lb tob 4 20
	To 2 yd India petticoat 3 50		
	to 3 paire shoes — 0 20		12 70

May ye 18th 1704 Then Came James Heath before me & made oath upon the holiy Evangelist of above acct is just and true and hath received noe part nor parcell Jurat Coram me May ye 19th Sworn before me Phil: Hawkins

Edward Jessop ads James Heath — Kent County in Maryland — In a plea of Trespass upon ye Case

Hath ye ptt Edward by Christopher Phillipson his attly comes here in Court and acknowledges himselfe Indebted unto James Heath ye ptff in ye Sum of twelve hundred & Seventy pounds of tobacco and for plea Nevertheless ye ptt Edward saith ye ptff James stands Justly Indebted unto ye ptt Edward in ye Sum of fiveve thousand & three hundred pounds of tobacco as by an acct to this plea annexed and here in Court brought appears & therefore ye ptff James his action ought not to ye ptt Edward by ye Law of this Countrey ought not to have and maintaine and thereupon ye ptt Edward puts himselfe upon ye Countrey

Chris: Phillipson ptt Atty

Mr: James Heath Dr. Nov: 12th 1702

To 15 foott Square house one foot over gutted smoothworke outside Chimneyes and a Butterij joyning to ye Chimneyes & a Porch Cover	lb tob 6 00
To a foott meat house 10 foot wide & 1 foot over gutted & smoothwork	3 00
To 20 foott Cribb 8 foot wide latht round & ye floor raised 2 foot off ye Ground floor	3 00
totall	13 00

Edward Jessop his mark

James Heath ag Edward Jessop — Ptt Excepts ye and ye ptff by his attly for replication Saieth for ye manifold insufficiencies & uncertainties in ye plea of ye Deft & ye matter therein contained he ye ptff ought not to be barred from having his action & all which he ye ptff readiy to aver therefore for want of ye plea of ye Deft and ye Guard matter therein to be contained he ye ptff prays Judgt for his Debt & Cost &c

Earle Ch: J.

First reason The Deft in his plea ye ptff Doth not formally say as ought ye Deft by his ye ptff comes & Defends ye force & Injury when &c & Saieth ye ptff ye Deft stood Indebted to ye ptff as ye ptff &c Nevertheless ye ptff Nevertheless ye ptff stands Indebted in Greater or Lesser Sum &c and therefore prays Discount &c

Second reason The Deft in his plea confesses ye Debt Due to ye ptff but Seeks to Evade but alledging a greater Debt Due to ye Deft &c but Doth not Crave a Discount onely Saieth he ye ptff ought not to have his action &c

Third reason The Deft hath not taken ye Issue as ought for in Such Cases he ought onely in ye Conclusive part of his plea have Craved Discount &c and left ye ptff in his replication to have taken his Travarse upon ye Country

Ye