

to the Said Freedmans Plantation and in Seating Building fencing and clearing
 the Same and all other necessary charges relating therunto according to
 the writing under the hand of the Said Thomas Truman deducting thereout
 all such Sums or Sums of Tobacco as the Said Comp^t hath or without his
 own wilfull default might have received out of the Said Plantation by the
 Perception of the Profitts thereof from the tyme of his entry thereinto till he
 left the Same and for as much as it was not known to this Court what
 Charges or Damages the Said Complainant had layd out and Expended or
 Sustaind by non performance of the agreement aforesaid and in Seating
 clearing and Building upon the Plantation aforesaid and other Charges relating
 therunto or what profitts had been by him Received as aforesaid and for that
 the Same was properly tryable att the Comon Law by a Jury, It was further
 ordered that a writt of Inquiriy of Damages should Issue to the Sheriff
 of St Marys County Returneable the then next Provinciaall Court to
 Impannell a Jury of twelve good and lawfull men of his Bailiwick
 to Enquire what charges or Damages the Said Comp^t had layd out and
 Expended or Sustaind by non performance of the agreement aforesaid and
 by the Clearing Seating and Building upon the Premises and other Charges
 Relating therdunto and what he had or without his own wilfull default
 might have Received by the perception of Profitts thereof as aforesaid and
 what upon the said Jurys Verdict should appear ~~to~~ be due unto the
 Complainant for Damages as aforesaid the said Def^t Thomas Truman
 was to pay the Same to him accordingly. Afterward to witt upon the
 Nynteenth day of November following the said Def^t Thomas Truman
 did prefer his Petition to the Hon^{ble} Thomas Notley Esq. Chief Judge in
 Equity and thereby did sett forth that the Complainant having Exhibited his
 Bill into this Court against the Petitioner and his Brother Nathaniell
 then since dead to have a sufficient Conveyance with Generall Warranty
 of one Thousand Acres of Land in Calvert County or died to have his
 Charges and disbursements for Building and Clearing upon the Same
 the p^{ts} thereby aleging that the Defendant Thomas in the Absence of the
 Def^t Nathaniell agreed wth the Comp^t that he should enter and seate
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