

That it does not appear by the declaration and that there is any memorandum a note of the promise (in the declaration and specified) in writing signed by the same Richard or any other person by the same Richard lawfully authorized as there ought to be according to the form of the Statute in such case made and provided &c. and that the declaration and is Inert and Insufficient and wants form &c. --- To which Demurer the Justices & --- And because the Court here of their Judgment of and upon the premises, to render as yett will advise Day thereof is given the parties and will next Court to hear there of their Judgment of and upon the premises &c. for that the Court here as yett &c. ---

At which said next Court to wit the fifteenth day of Novemb. and Dond One thousand seven hundred and twenty six came again as well the said Thomas as the said Richard by their attorney's and and whereupon all and singular the premises by the Court here being seen fully read and mature deliberation thereupon had for that it seemeth to the Court here that the declaration and above specified, is not sufficient in the Law, of the action of the same Tho. against the same Richard to maintain &c. Therefore it is considered by the Court here this the same Day and Year last mentioned that the said Thomas Bannister take nothing by his said and but for his false Rumour be in mercy and that the said Richard Waters goe thereof without day &c. Also it is considered by the Justices that the said Richard Waters Recover against the said Thomas Bannister the Sum of three hundred and thirty three --- pounds of tobacco for his costs and Charges by him about his defence in this behalf said but and expensed

Charles Rankliffe adm^r of Nathanael Rankliffe }
Somerset p. Edmund Cropper late of Somerset County Sheriff
ad. Dick Edmund Cropper of Somerset County was summoned to
J. D. Edmund Cropper --- } answer unto Charles Rankliffe adm^r of the goods and Chattels
Rights and Credits of Nathanael Rankliffe late dec^d of agree that he
render unto him forty pounds Curr^t money of this province which from him he unjustly
detains &c. And whereupon the same Charles Rankliffe by Levi Gale his attorney shitt
that whereas the said Edmund the twenty eighth day of may and Dond One thousand seven
hundred and seventeen at Somerset County within the Jurisdiction of this Court by his certain
writing Obligatory granted himselfe to be held and firmly bound unto the said Nathanael
Rankliffe in his Life time in the said Sum of forty pounds Curr^t money of this province to be
paid the same Nathanael his heirs Executors or adm^r or assigns when after wards the same
Edmund should be there to Required yett the said Edmund altho' often there to required the said
Sum of forty pounds Curr^t money of this province to the said Nathanael in his Life time nor
to the said Charles After the death of the said Nathanael to whom administration of all the
good