

Thereupon he prays Remedy and brings into Court here the Writing aforesaid is the Debt aforesaid in some days doth Witness whose date is the day and Year aforesaid &c.

And the aforesaid James Shirley by Levin Gale his Attorney Cometh and Defendeth the force and Injury therein; And prays Leave thereof to Imparole here untill the Next Court and he hath it and the Same day is given to the afo John Stewart here also; — All which Said Next Court to witt the twenty-eth Day of June Ann^d Dom^o one thousand Seven hundred and thirty two came againe as well the afo John as the afo James by there Attorneys aforesaid and thereupon the Said James prays further Leave thereof to Imparole here untill Next Court And he hath it and the Same day is given to the afo John here also; — All which Said Next Court to witt the fifteenth day of August Ann^d Dom^o one thousand Seven hundred and thirty two came againe as well the aforesaid John as the aforesaid James by there Attorneys aforesaid And thereupon the Said James Says that the Justices of the Lord proprietary here to proceed in the Cause afo between him the said John Stewart and the Said James Shirley ought not Because he saith that after the twenty first day of March Last past from which said Day the Cause aforesaid between the Parties afo was continued and before this Day (to witt) the twenty Day of June in the Year of our Lord Seventeen hundred and thirty two (to witt) the first day of June in the Year of Last Mentioned at Somerset County did pay and Satisfied unto the aforesaid John Stewart fifteen hundred pounds of Tobacco which at and after the Rate of twelve Shillings and Six pence p^r hundred was Mentioned in the Condition in the Condition of the Bond Amounts to the Sum of Nine pounds Seven Shillings and Six pence percell of the twenty pounds in the Condition Mentioned And this he is Ready to Verify Wherefore he prays Judgment and that the Justices hereof and Upon the premises to proceed further will Not —

Whereupon the said James Shirley Relinquisheth his Verification aforesaid by him above pretended and Says that he cannot Gain say the action aforesaid of the aforesaid John Stewart nor can he say but that the writing Obligatory aforesaid is the deed of him the Same James nor but that he Owes the Same John the aforesaid forty pounds Current money of this province in manner and form as the aforesaid John above against him hath declared &c.

Therefore it is considered that the aforesaid John Stewart Recover against the aforesaid James Shirley his debt aforesaid and his damages by occasion of the detaining of the Same debt to three hundred & thirty — — — pounds of Tobacco to the Same John of this aforesaid by the Court here adjudged and the aforesaid debt in money &c.