

when he and pray leave to Impare hereunto next Court and he hath it and the same day is given to the aff Thomas Kelsick here also &c —

At which said next Court to witt the twentieth day of November and Dowd One thousand seven hundred and thirty and three came againe as well the aff Paul Townsend as the aff Thomas Kelsick by their attorney aff and whereupon the said Thomas as pray further leave thereof to Impare hereunto the next Court and he hath it and the same day is given to the aff Paul here also &c —

At which said next Court to witt the thirteenth day of March and Dowd One thousand Seven hundred and thirty three came againe as well the aff Paul Townsend as the aff Thomas Kelsick by their attorney aff and whereupon the said Thomas as before found the force and Injury when he and says that the declaration aff and the matter therein contained are not sufficient in Law to maintain the action aff of the said Paul against him the said Thomas and that he the said Thomas to that declaration hath no need nor by the Law of the Land is hold to answer and this he is ready to verify whereupon for want of a sufficient declaration the said Thomas pray Judgment and that the aff Paul from having his action aff may be precluded &c —

And the aff Paul for that he hath above alleged sufficient matter in Law in his declaration aff his action aff to maintain which he is ready to verify which same matter the said Thomas doth not gainsay or to the same in any sort hath answered but that avowment to admitt altogether hath refused pray Judgment and his damages by reason of the premises to him to be adjudged &c —

Whereupon all and singular the premises being seen and by the Court here fully understood and mature deliberation thereupon had for that it seemeth to the Court here that the declaration aff and the matter in the same contained are insufficient in the Law to the action of the aff Paul against the aff Thomas to have and maintain &c —

Therefore it is considered that the aff Paul Townsend take nothing by his Narration aff but be in mercy for his false clamour and that the aff Thomas Kelsick go thereof without day &c. and further it is considered that the aff Thomas Kelsick recover against the aff Paul Townsend Two hundred and thirty nine pounds of tobacco for his costs and charges by him about his defence in that part sheweth to the same Thomas here according to the form of the Statute in such case lately made and provided adjudged and that the same doth have show of execution &c —

ff. James Breeman } Somerset County ff. James Dickerson late of Somerset County planter
was attached to answer unto James Breeman of a plea of Treppass —
ff. James Dickerson } Upon the case &c —

And whereupon the said James Breeman by ff. Francis Allen his Attorney