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in the County aforesaid in six weeks from the said day and year last aforesaid and the said Robert Walsh also agreed to give the said Robert and William his the said Robert Walshes note with John Carnes as his security or his the said Robert Walsh and John Carnes notes payable at three and four months for the amount of the said Brandy the date of the said notes to commence from the delivery of the said Brandy by the said Robert and William to the said Robert Walsh And the said Robert and William do aver that they were owners of the said one hundred and two pipes of Brandy on board the said Ship called the Ann on her voyage from Bordeaux in France to the port of Baltimore and that the said one hundred and two pipes of Brandy afterwards and within six weeks from the said twenty seventh day of July in the year seventeen hundred and ninety five to wit on the first day of August in the year last aforesaid arrived at the port of Baltimore in the County aforesaid and the said Robert and William do aver that they confiding in the promise and undertaking of the said Robert Walsh made as aforesaid afterwards to wit on the fifth day of August in the year aforesaid at the County aforesaid delivered the said one hundred and two pipes of Brandy to the said Robert Walsh Nevertheless the said Robert Walsh his promise and undertaking aforesaid in form aforesaid made not regarding but minding and intending the said Robert and William in this behalf the said Robert Walsh refused to give his note to the said Robert and William with the said John Carnes as his security or to give the notes of the said Robert Walsh and John Carnes to the said Robert and William payable at three and four months for the amount of the said Brandy or for the amount of any part thereof the date of the said notes to commence from the delivery of the said Brandy according to the agreement made as aforesaid between the said Robert Walsh and the said Robert and William although the said Robert Walsh was afterwards requested so to do by them the said Robert and William on the twenty fourth day of August in the year one thousand seven hundred and ninety five and often afterwards at the County aforesaid But the said Robert Walsh so to do hath hitherto wholly refused and still doth refuse to the damage of the said Robert and William in the sum of three thousand pounds current money and

(therefore)



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therefore they bring suit and so forth

John Purviance for Plff pledges and so forth John Doe and Richard Roe

And thereupon on motion of the said Robert Gilmor and William Bingham by their Attorney aforesaid It is ruled by the Court here that the said Robert Walsh answer to the declaration last aforesaid of the said Robert Gilmor and William Bingham in the plea aforesaid or Judgement by the Court here will be entered against him in default thereof Thereupon further process of and upon the premises aforesaid between the parties aforesaid by Consent of the said parties and their Attornies aforesaid and by order of the Court here thereon is further continued until the second Tuesday of October next

And Now at this day to wit, the said second Tuesday of October being the eleventh day of the said month in the year of our Lord one thousand eight hundred and three come again into the General Court there as well the said Robert Gilmor and William Bingham by Luther Martin John Purviance and Samuel Chase Esquires their Attornies aforesaid as the said Robert Walsh by Walter Dorsey and John Thomson Mason his Attorneys; And the said Robert Walsh by his Attornies aforesaid (in pursuance of the rule last aforesaid) as before defends the force and injury when and so forth and saith that he did not assume upon himself in manner and form as the aforesaid Robert Gilmor and William Bingham above against him have complained and of this he puts himself upon the Country and the said Robert Gilmor and William Bingham in like manner and so forth; Whereupon for trying the issue aforesaid. It is ordered by the Court here that twenty persons from the pannel of petit Jurors returned to the Court here by the several Sheriffs of the different counties of the Western Shore be drawn by ballot according to the act of assembly in such case made and provided; and thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said lists is delivered to the Counsel for the respective parties and the Counsel for each of the said parties having stricken out four persons from the said Lists, thereupon the remaining twelve persons being called came that is to say James Nelle of Bennett, Samuel Tyler Junior John and Nicholas Gatch Thomas Stewart Samuel Bond John Bond of William Samuel Carpenter Francis Franklin Samuel Richardson William Ogle and Robert Wilkinson who being empannelled and sworn to say the truth in the premises upon their oath do say that the said Robert Walsh did assume upon himself in manner and form as the said Robert Gilmor and William Bingham either against him complain and they

(so say)