And the said Margaret Lady Baltimore saith that the plea aft of the aft Rachel above pleaded and the Matter in the same Contained is not Sufficient in Law to preclude her the said Margaret Lady Baltimore from having her Action aft against the aft Rachel and that she to that plea in Manner and form aft pleaded hath no need nor by the Law of the Land is she bound to Answer and therein is ready to Verify wherefore for want of a Sufficient plea in that part the said Margaret Lady Baltimore prays Judgment and her Debt aforesaid together with her Damages by Occasion of the detaining of the said Debt to her to be Adjudged &c Fran: Allen Atty

And the aft Rachel for that She Sufficient Matter in Law to preclude the aft Lady of Baltimore from having her Action aft against her the said Rachel above in pleading hath alledged which she is ready to Verify which said Matter the aforesaid Lady Baltimore doth not Gainsay nor to it in any wise Answer but that Verification to Admit altogether refuses as before prays Judgment and that the aft Lady Baltimore from having her Action aft against her the said Rachel may be precluded &c

Daniel Dulany

Whereupon all and Singular the premises by the Court here being seen heard and fully understood and Mature Deliberation thereupon had it seems to the Court here that the Plea of the aforesaid Rachel in Manner and form aft above pleaded and the Matter in the same Contained are good and Sufficient in Law to Bar and preclude the aft Margaret Lady Baltimore from her Action aft ag[t] the aft Rachel to have or Maintain.

Therefore it is Considered by the Justices here the twentieth day of August Anno Domi: One thousand Seven hundred and Twenty three aforesaid that the said Margaret Lady Baltimore Exx of the same Charles Lord Baron of Baltimore take nothing by her writ and declaration aforesaid but be in Mercy for her false Clamour and that the said Rachel Exx aforesaid John Hunt go thereof without day &c.

Whereupon the said Margaret Lady Baltimore Exx aft by her attorney aforesaid prays an Appeal from the Judgment of this Court in the Action aforesaid to the Justices of the Provincial Court to be held at the City of Annapolis the Second Tuesday of September next which is granted She giving bond for the due prosecution thereof According to Law. Which bond is as followeth Viz[t]

Know all men by these presents that I John Caldwell of Somerset County in the Province of Maryland Gent Attorney in fact to the Right Honble Margaret Lady Baltimore widow and Exx of the Testament and Last will of the Right Honourable Charles absolute Lord and Progry of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c Lately Deced am held and firmly bound unto Rachel Evans of the said County Gentlewoman in the full and Just Sum of Seven hundred and twenty Eight pounds of good current Merchantable Soap Tobacco and Cask to Contain the same to be paid unto the said Rachel Evans her her heirs Exs admrs or assigns to which payment well and truly to be made I bind my self my heirs Exs admrs firmly by these presents Sealed with my seals Dated this 20th day of August Anno Domi 1723

The Condition of the above Obligation is such that whereas the above Jno Caldwell as Attorney in fact for the Right Honble Margaret Lady Baltimore hath Appealed from a Judgment given against her on the behalf of the said Rachel Evans this present (twentieth)

Twentieth day of August at the County Court of this Lordships held for Somerset County aft at Dividing Creek if therefore the said John Caldwell on the behalf of the said Margaret Lady Baltimore shall pursue the direction of the Act for Regulating writs of Error and granting Appeals at the next Provincial Court to be held at Annap: for the Province of Maryland the Second Tuesday in September next and prosecute the same Appeal w:th Effect and also Satisfy and pay the said Rachel Evans her Exx admrs or assigns in case the said Judgment shall be affirmed as well Such Costs as shall be Adjudged by the County Court aft as also all Costs and Damages that shall be awarded by the Provincial Court before whom the said Appeal shall be heard tried and Determined as aft then the above Obligation to be void and of none Effect or Otherwise to remain in full force Power and Virtue.

John Caldwell (Seal)

Sealed and Delivered in presence of us, John Elzey Hugh Cater

Seal of the County of Somerset.

In Confirmation whereof I have hereunto put my hand and affixed the Seal of said County of Somerset this third day of Sept[r] Anno Domi 1723

Thomas Hayward Jun[r] Cond Com: Somt

And now here at this day to wit the tenth day of September Anno Domi 1723 Comes the said Margaret Lady Baltimore Executrix of the said Charles Lord Baltimore by Daniel Dulany her Attorney and says that it is Manifestly Erred in the Record and process aft and rendering the Judgment aforesaid Ffor Err in this that Judgment is rendered for the said Rachel against the said Lady Baltimore whereas by the Law of the Land the Judgment Ought to have been Rendered for the said Lady Baltimore against the said Rachel for which and many other Errors as well in the Record and process and rendering the Judgment aft the said Margaret Lady Baltimore prays that the Judgment aft may be reversed and held for none and that She to all that She thereby lost may be restored

And the said Rachel Evans Exx of the said John Hunt by Joshua George her attorney Appears and says that in the Record and process aft and also in rendering Judgment thereon it is in nothing Erred and prays the same Judgment may in all things be affirmed And thereupon Rachel the said Rachel Evans as the said Margaret Lady Baltimore by their Attorneys aft pray the Court of the Lord Proprty here will proceed as well to the Examination of the Record and process aft as of the Matters above for Errors assigned thereon But for that the Court here are not advised of their Judgment of and upon the premises aft day thereof is given to the said parties to hear there of their Judgment until the next Court for that the said Court as yet are not &c

(Dulany)

At which said next Court to wit the Nineteenth day of May Anno Domi 1724 Comes again as well the said Margaret Lady Baltimore Exx as aft by her Attorney aft as the said Rachel Evans Exx as aft by her attorney aft But for that the Court here are not Advised of their Judgment of and upon the premises aft day is further given to the said parties to hear there of their Judgment until next Court for that the said Court as yet are not &c

At which said next Court to wit the 20th day of October Anno Domi 1724 Comes again as well Margaret Lady Baltimore Exx as aft by her attorney aft as the said Rachel Evans Exx as aft by her Attorney aft But for that the Court here are not Advised of their Judgment of and upon the premises aft day is further given to the said parties to hear there of their Judgment until next Court for that the said Court as yet are not &c

(At)