Refused prayeth Judgment that the af. George Robins from having his Action aforesd. Against him the sd. David be precluded &c.

Whereupon all & Singular the Premises by the Court here being fully Seen and Understood & Mature Deliberation thereupon had because it seemeth to the Court here that the Plea af. of the af. David is good & Sufficient in Law &c.

Therefore It is Considered by the Same Court that the af. Fourteen Pounds Fourteen Shillings & two pence be Discounted out of the af. Seventeen pounds ten Shillings & Nine pence a half penny According to the Act of Assembly af. & that the af. George do recover Against the Same David two pounds Sixteen Shillings & Seven pence half penny & two hundred & fifty & two pounds of Tobacco his Damages af. by the Court here According to the Act of Assembly in Such Case Lately made & Provided Assessed also four hundred twenty & two pounds of Tobacco for his Costs & Charges by him about this Suit in this part expended & to him by the Court here of his Assent Adjudged & the af. David in Mercy &c.

In Testimony that this is a True Copy from the sd. Records I have hereunto set my hand & fixed the Publick Seal of Talbot County af. this Second Day of Octr. Anno Dom. 1730.

Seal of Talbot Co.

T. Francis Clk. of Talbot Co. Court

And now here at this Day to wit the 18th Day of May Anno Dom. 1731 the Said George Robins by Mich. Howard his Attorney Comes into his Lordships Prov. Court here & Saith that the Plea of the af. David above Pleaded & the matter in the Same contained are Insufficient in Law to Preclude the Same George from having his Action af. against the sd. David, therefore in it it is Manifestly erred: it is also Erred in this, that by the Record af. it Doth Appear that the Judgment af. in form af. was rendered for the sd. David, that the Fourteen pounds, Fourteen Shillings & two pence in the sd. Plea mentioned Should be Discounted out of the af. Seventeen pounds ten Shillings & nine pence half penny in the sd. Declaration specified Whereas by the Law of England & the Laws of this Province of Maryland that Judgment ought to have been rendered for the af. George against the sd. David, and the Judgment aforesd. in form af. rendered thereon is erroneous & void in Law: And the af. George Prayeth that the Judgment af. for the Error af. & others in the Record & Process af. being, may be reversed, Annulled & altogether held for none & that the af. George to all which by Occasion of the Judgment af. he lost may be restored &c. & Prayeth the Writ of the Right Hon.ble the Lord Prop.r that now is, to Summon the af. David Robinson to be & Appear before the Justices of this Court to hear the Record & Process af. &c.

And thereupon the sd. David Robinson by Rich. Francis his Attorney Appears & says that in the Record & Process af. & also in rendering Judgment thereon it is in no thing Erred & Prays that the Same Judgment may in all things be Affirmed &c. & thereupon as well the Said George Robins by his Attorney af. as the sd. David Robinson by his Att.y af. Prays the Court here of the Lord Prop.r shall Proceed as well to the Examination of the Records & Process af. as of the matters above for Errors Assigned &c. but for that the Court here are not Advised of their Judgment of & upon the Premises af. Day is given to the Parties to hear their Judgment until Next Court for that the sd. Court yet are not &c.

(At)

At which sd. Next Court to wit the 19th Day of October Anno Dominii 1731 Come Again the sd. Parties Plff. & Deft. by their Att.ys af. but for that the sd. Court here are not Advised of their Judgment of & upon the Premises af. Day is further given to the Parties af. to hear their Judgment until Next Court for that the sd. Court yet are not &c.

At which sd. Next Court to wit the 18th Day of April Anno Dominii 1732 Come again the sd. Parties Plff. & Deft. by their Attorneys af. but for that the sd. Court here are not Advised of their Judgment of & upon the Premises af. Day is further given to the Parties af. to hear their Judgment until next Court for that the sd. Court yet are not &c.

At which sd. Next Court to wit the 17th Day of October Anno Dominii 1732. Come again the sd. Parties Plff. & Deft. by their Att.ys af. but for that the sd. Court here are not Advised of their Judgment of & upon the Premises af. Day is further given to the Parties af. to hear their Judgment until Next Court for that the sd. Court yet are not &c.

At which sd. Next Court to wit the 15th Day of May Anno Dominii 1733. Come Again the sd. Parties Plff. & Deft. by their Att.ys af. but for that the sd. Court here are not Advised of their Judgment of & upon the Premises af. Day is further given to the Parties af. to hear their Judgment until Next Court for that the sd. Court yet are not &c.

At which sd. Next Court to wit the 17th Day of October Anno Dominii 1734 Come Again the sd. Parties Plff. & Deft. by their Att.ys af. but for that the sd. Court here are not Advised of their Judgment of & upon the Premises aforesd. Day is further given to the Parties af. to hear their Judgment until Next Court for that the sd. Court yet are not &c.

At which sd. Next Court to wit the 21st Day of May Anno Dominii 1734 Comes again as well the Said George Robinson by his Attorney af. as the sd. David Robinson by his Att.y af. Whereupon all & Singular the Premises being by the Court here Seen heard & fully understood & Mature Deliberation thereupon had. It is Considered by the Justices here the 21st Day of May Anno Dom. 1734 af. that the Judgment af. for the Errors af. & others in the Record & Process aforesd. being reversed Annulled & altogether held for none & that the sd. George Robins to all that thereby he hath Lost be Restored. And also it is Considered by the Same Justices that the sd. George Robins his Damages by Occasion of the Premises af. against the sd. David Robinson ought to Recover But because it is unknown to the Justices here what Damages the sd. George Robins hath Sustained by the af. Occasion It is Commanded the Sheriff of Talbot County that by the Oath of twelve Good & Lawfull men of his Bailiwick or County he Diligently Enquire what Damages the sd. George Robins hath Sustained by Occasion of the Premises aforesd. besides his Costs & Charges by him about his Suit in this behalf laid out & Expended & that the Inquisition which he shall send to his Lordships Justices of the Prov. Court to be held at the City of Annapolis the third Tuesday of October next together with his Lordships writ to him Directed. And the Same Day is given to the sd. David Robinson also.

Test Thos. Hodkin Clk.

We Henry Darnall Esq.r & Philip Lee Esq.r } Prince Georges County ss. Be it Remembered that heretofore to wit the 19th Day of October Anno Dominii Seventeen hundred & thirty one Henry Darnall Sen.r of Prince Georges County Gent. by William Cumming his Att.y

(Att.y)