Provided comes and Defends the force and Injury when &c. and saith that he with the Debt aforesaid by virtue of the writing aforesaid to be burthened Ought not because he saith that writing is not his Deed and of this he puts himself upon the Country —

And the aforesaid Plaintiffs as to the first Plea of the said David in manner aforesaid above pleaded say that the same Plaintiffs for any thing therein Contained ought not to be Precluded from having their Action aforesaid against him because they say that he the said David never did pay or Satisfy unto them the aforesaid Sum of Money in the Condition aforesaid Mentioned and the Interest thereon or any part or parcel thereof and this they pray may be Enquired of by the Country &c. and the said Defendant in like manner And as to the Second Plea of the said David the said Plaintiffs in like manner &c. —

Whereupon for Trying the issues aforesaid Command is given to the Sheriff of Talbot County that he cause to come before the Justices of the Provincial Court to be held at Annapolis the third Tuesday of May next or before the Justices appointed to take the Assizes in his County if they shall before that Time to wit on Thursday the fourteenth day of April next to the County Court House in the said County come Twelve good and Lawfull men of his Bailiwick by whom &c. who neither &c. to Recognize &c. because as well &c. —

Afterward the Process Continued between the Parties aforesaid in the Plea aforesaid by the Jury being put thereon in Respite here until the third Tuesday of May next unless the Justices of his Lordship the Lord Proprietary to take Assizes in the said County Assigned on Thursday the fourteenth day of April next to the County Court House in the said County shall come —

And now here at this day to wit the said third Tuesday

of May being the Seventeenth day of the same Month Anno Dom. 1757 come again into Court here as well the said Foster Cunliffe and Sons as the said David Robinson by their Attorneys aforesaid But the Sheriff hath not Sent his Writ &c. —

And the said David Robinson by his Attorney aforesaid Relinquishing the Averment above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Foster Cunliffe and Sons so as aforesaid against him brought nor but that the writing aforesaid is the Deed of him the said David Robinson nor but that he owes to the said Foster Cunliffe and Sons the aforesaid Sum of One hundred and Seventy one pounds Current Money of Maryland in manner and form so as the aforesaid Foster Cunliffe and Sons above against him hath declared —

Therefore It is Considered by the Justices here that the said Foster Cunliffe and Sons recover against the said David Robinson as well the Sum of One hundred and Seventy one Pounds Current Money of Maryland their Debt aforesaid as also the Sum of

Pounds of Tobacco by the Court here unto them on their assent adjudged as well for their Damages Sustained by Occasion of the Detention of that debt as for their Costs and Charges by them about their Suit in this behalf laid out and Expended and the said Defendant in Mercy &c. —

Test.

J.T. Ex. Sh. Charles Brown
ed
a
Cy. William Carmichael

Be it Remembered that heretofore to wit the Twenty first day of May Anno Dom. 1754 William Carmichael late of Queen Ann's County in the Province of Maryland Merchant otherwise called William Carmichael of Queen Ann's County in the Province of Maryland Merchant was Summoned to Answer unto