as well all and Singular the Debt Damages and Costs Adjudged by the Court aforesaid
held for Talbot County aforesaid in the Cause aforesaid as aforesaid as also all Costs and
Damages that shall be awarded by the Provincial Court aforesaid before whom the
Appeal aforesaid shall be heard Tryed and Determined. then the above bond to be and
remain in full force and Virtue otherwise of no Effect.

Vide Imparlance at the Entrance of this Sess.: at this Mark X

+ + + + + + + + + + the said Elijah Robert and Daniel say that they
+ + + by Virtue of the writing Obligatory aforesaid to be burthened ought not
because they say that, that Writing is not their Deed and of this they put themselves
upon the Country and the aforesaid James in like manner and the aforesaid Elijah
Robert and Daniel by leave of the Court here and according to the form of the
Statute in such Case made and Provided further come and defend the force and
Injury when &c. and say that the said James his Action aforesaid against them
to have and Maintain Ought not because they say that after the making the
writing Obligatory aforesaid the said Elijah Shillington the Party Appellant did
did pursue the Directions of the Act of Assembly Intituled an Act for Regulating
Writs of Error and Granting Appeals from and to the Courts of Common Law within
this Province at the Provincial Court Ensuing held for this Province of Maryland
and did Prosecute his said Appeal with Effect to wit at Talbot County aforesaid and
this they are Ready to verify wherefore they pray Judgment if the aforesaid James
his Action aforesaid against them to have Ought &c.

And the aforesaid James Miller saith that he for any thing by the
aforesaid Elijah Robert and Daniel by their Second Plea above by Pleading
alledged ought not to be precluded from having and Maintaining his Action
aforesaid thereof against the said Elijah Robert and Daniel because he saith
that he the said James Miller at a County Court of the Right Honourable the Lord
Proprietary that now is held for Talbot County aforesaid at the Court House near
Tilts his Bridge in the County aforesaid the first Tuesday in August in the Year One
thousand Seven hundred and fifty four before Mr. Peisden Bozman and his
Associates then his said Lordships Justices of the same County Court by the
Consideration and Judgment of the same Court recovered against the said Elijah
Shillington by the Name of Elijah Shillington of Talbot County Planter as
well the Sum of thirty Eight pounds Current Money which unto the same James
Miller by the same Court then there was according to the Act of Assembly in such
Case lately made and provided Assessed and Adjudged for his Damages which he had
Sustained by Occasion of the Nonperformance of certain Promises and Assumptions
by the aforesaid Elijah Shillington unto the aforesaid James Miller there before
that time made as also two hundred forty five pounds of Tobacco which unto
(they

the same James Miller by the same Court then thereof his Assent were Awarded and
Adjudged for his Costs and Charges by him about his Suit in that part apposed whereof
the said Elijah is Convict as by the Transcript of the Record and full Proceedings thereof
under the hand of the Clerk of Talbot County Court aforesaid and the Seal thereof (which upon
Appeal made by the aforesaid Elijah Shillington from the Judgment aforesaid of the aforesaid
County Court to the said Lord Proprietary his Justices of the Provincial Court here were
by the Justices aforesaid of Talbot County Court aforesaid Transmitted to the same Provincial
Court and which is now remaining in the same Provincial Court here before the Justices
thereof in all things affirmed) it doth and may more fully and at large appear And the
same James Miller further saith that the aforesaid Elijah Shillington at the aforesaid
County Court of Talbot County aforesaid after the Judgment aforesaid in the same County
Court in form aforesaid was had and rendered did make and pray an Appeal from the
Judgment aforesaid of the aforesaid County Court to the said Lord Proprietary that
now is his Justices of the Provincial Court aforesaid and the same Elijah and the
aforesaid Robert and Daniel his Sureties did immediately upon making the Appeal
aforesaid make Seal and Execute the writing Obligatory aforesaid in the Declaration
aforesaid in this Cause Mentioned with Condition to the same Writing Obligatory as
in and by the Second Plea aforesaid of the aforesaid Elijah Robert and Daniel is Mentioned
and Set forth by Virtue of which said Appeal a Transcript of the Record and full Proceed-
ings of the aforesaid County Court of Talbot County aforesaid in the Plea aforesaid with all
things thereto relating were by the Justices of the same County Court to the then next
Provincial Court of the said Lord Proprietary held for this Province to wit on the fifteenth
day of October in the Year Seventeen hundred and fifty four at Annapolis in Anne Arundel
County in due Form of Law Transmitted At which said Provincial Court held at Annapolis
on the aforesaid fifteenth day of October in the Year aforesaid before the Justices of the
same Court came into the same Court as well the aforesaid Elijah by Daniel Delany and
Stephen Bordley his Attorneys as the aforesaid James Miller by his Attorney aforesaid
and thereupon further process of and upon the Premisses aforesaid in the Plea aforesaid
was continued until the then next Provincial Court, At which said then next Provin-
cial Court held at Annapolis to wit on the twentieth day of May in the Year
Seventeen hundred fifty and five before the Justices of the same Court came again
as well the said Elijah by his Attorneys aforesaid as the aforesaid James Miller by
his Attorney aforesaid and thereupon afterwards at the same Provincial Court of
the same Lord Proprietary then there held to wit on the aforesaid twentieth day
of May aforesaid in the Year last aforesaid it was so far proceeded in the same Court
that upon all and Singular the Premisses aforesaid by the same Provincial Court then
there being Seen heard and fully understood and Mature deliberation by them
(thereupon