The said John James Junior by his attorney aforesaid. And the said John James Jun. by his attorney aforesaid (as before) Defends the force and Injury when &c and saith that he with the Debt aff by Virtue of the writing Obligatory aff to be but bound ought not because he saith that that writing is not his Deed and of this he puts himself upon the Country &c and the said Charles in like manner and so forth.

And the said John James by leave of the Court here and according to the form of the Statute in such Case late made and provided Comes and further defends the force and Injury when &c and saith that the said Charles his action aff against him to have or maintain ought not because he saith that he doth not Owe him the said Charles the said Sum of One hundred and forty nine pounds four Shillings Sterling having paid to him the said Charles before the Imposition of the Original writ aff the Sum of money in the Condition of the writing Obligatory above mentioned to wit at the County aff and this he is ready to verify &c wherefore he prays Judgment if the said Charles his action aff against him to have or maintain Ought &c

And the said John James by leave of the Court here and According to the form of the Statute in such Case late made and provided Comes further defends the force and Injury when &c and saith that the said Charles his action aff against him the said John to have or maintain ought not because he saith that he the said John after the making the writing aff to wit on the day of in the year of Our Lord One thousand Seven hundred and Sixty two at the County aff paid the said Sum of Seventy four pounds twelve Shillings Sterling money aff and Interest thereon due according to the form and Effect of the Condition aff and this he is ready to verify &c wherefore he prays Judgment if the said Charles his action aff thereof against him to have or maintain Ought &c

And the said Charles as to the Second plea of him the said John above pleaded saith that he the said Charles by anything in the same Second plea alleged from having and maintaining his action aforesaid to be but bounded Ought not because protesting that the said John doth Owe to him the said Charles the aforesaid Sum of One hundred and forty nine pounds four Shillings Sterling and protesting also that the same Second plea of the same John above in manner and form aforesaid pleaded is not sufficient in Law to preclude him the said Charles from having and maintaining his Action aforesaid to which same Second plea in manner and form aforesaid above pleaded he is under no Necessity nor by the Law of the Land bound in any manner to answer for plea by way of Replication to the same Second plea the same Charles Nevertheless saith that the said John did not pay to him the said Charles the said Sum of money in the Condition of the writing Obligatory above mentioned as the said John above in his

(same)

same second plea hath alledged and this he prays may be enquired of by the Country and so forth and the aforesaid John in like manner and so forth.

And the said Charles as to the third plea of him the said John above pleaded saith that he the said Charles by anything in the same third plea alleged from having and maintaining his action aforesaid to be precluded Ought not because he saith that the aforesaid John did not pay to him the said Charles the said Sum of Sixty four pounds twelve Shillings Sterling money aforesaid and Interest thereon due in manner and form as the said John above in his same third plea hath alleged and this he prays may be enquired of by the Country and so forth and the aforesaid John in like manner and so forth.

Nevertheless the aforesaid John James Junior by his Attorney aforesaid Relinquishing the Avrements above by him pretended saith that he cannot deny the action aforesaid of him the said Charles Clark so as aforesaid above against him brought nor but that the writing Obligatory aforesaid is the Deed of him the said John James Junior nor but that he Owe unto the said Charles Clark the Sum of One hundred and forty nine pounds four Shillings Sterling money of Great Britain in manner and form as the said Charles Clark above against him hath declared Therefore it is Considered by the Justices here that the said Charles Clark recover against the said John James Junior as well the Sum of One hundred and forty nine Pounds Four Shillings Sterling money of Great Britain his Debt aforesaid in form aforesaid Confessed as also the Sum of 1/2 Pounds of Tobacco by the Court here unto him the said Charles Clark on his assent adjudged as well for his Damages Sustained by Occasion of the Detention of that Debt as for his costs and Charges by him about his Suit in this Behalf laid out and expended, and the said Defendant &c in Mercy &c

Test Reverdy Ghiselin Clk

Ff. 1/2 p. Edward Drugan
against
Pl. Gd. Richard White

Memorandum The said Edward Drugan by Thomas Johnson Junior his Attorney in his Lordships Court of Common Pleas whereof follows in these words to wit

Maryland ss. Frederick absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore, To the Worshipful the Justices of Prince George County Greeting Because in the Record and Process and also in the Rendering of Judgment which was in our said Court before Simon Wilmer and Others his Associates Justices of the same Court at March Court 1760 between Richard White Plaintiff agt. Edward Drugan Defendant in an action of Trespass upon the Case Manifest Error as it is said has happened to the great Damage of the said Edward Drugan as of his Complaint We have received, and we being willing that the Errors if any there be shall be duly Corrected and full and speedy Justice done to the said Parties in this Behalf Command you that if Judgment be thereon rendered then the Record and process aforesaid

(with)