reason whereof and also by force of the Statute in such Case made and provided the aforesaid Michael Macnemara became liable for and chargeable to pay unto him the said William Roberts the aforesaid Sum of Current Money when afterwards he should be thereunto required and being so therewith chargeable the aforesaid Michael Macnemara afterwards to wit on the Day and Year last aforesaid at the County aforesaid upon himself assumed and to the said William Roberts then and there faithfully promised that he the said Michael Macnemara the aforesaid Sum of Current Money to him the said William Roberts when afterwards he should be thereunto required would well and truly Content and pay Nevertheless the aforesaid Michael Macnemara his Promise and Assumption aforesaid so as aforesaid made not regarding but minding and fraudulently intending him the said William Roberts in this behalf craftily and subtilly to deceive and defraud the aforesaid Sum of Current Money or any Part thereof to him the said William Roberts hath not contented or paid (altho so to do the aforesaid Michael Macnemara was afterwards to wit on the Day and Year last aforesaid and often afterwards at the County aforesaid by the said William Roberts requested) but the same or any part thereof to him the said William Roberts to content or pay he hath hitherto altogether refused and still doth refuse to the Damage of him the said William Roberts in the Sum of fifty Pounds Current Money aforesaid and therefore he brings Suit and so forth

William Paca for the Plaintiff Pledges and so forth { John Doe, Richard Roe

And the said Michael Macnemara by Thomas Johnson Junior his Attorney comes and defends the Force and Injury when and so forth and prays leave to Imparle hereunto until next Court and he hath it the same Day is given to the Plaintiff also — At which said next Court to wit the 8th Day of Nov. Anno Dom 1763 come again the said Parties Plaintiff and Defendant by their

their Attornies aforesaid and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it the same Day is given to the Plaintiff also — At which said next Court to wit the 13th Day of March Anno Dom 1764 come again the said Parties Plaintiff and Defendant by their Attornies aforesaid and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it the same Day is given to the Plaintiff also — At which said next Court to wit the 12th Day of June Anno Dom 1764 come again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it the same Day is given to the Plaintiff also — At which said next Court to wit the 11th Day of August Anno Dom 1764 come again as well the said William Roberts by his Attorney aforesaid as the said Michael Macnemara by his Attorney aforesaid and the said Michael Macnemara by his Attorney as aforesaid produces to the Court here his Lordships Writ of Habeas Corpus the Tenor whereof is as follows to wit — Maryland to wit Frederick Absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Sheriff of Anne Arundel County Greeting Whereas a certain Michael Macnemara is detained in the Prison of our said County under the Custody of you our said Sheriff at the Suit of a certain William Roberts of a plea of Trespass upon the Case which said plea as it is said still depends before you our said Justices undetermined And We being willing for divers causes that the plea aforesaid undetermined as aforesaid shall be heard and determined before the Justices of our Provincial Court therefore We Command you that you have the Body of the said Michael Macnemara by whatsoever Name he be called in the plea aforesaid together with the Day and Cause of his Caption and Detainer and all things thereunto relating before the Justices of our Provincial Court to be held at Annapolis the second Tuesday of September next that our said Justices may further proceed therein as to Justice appertains and so forth Hereof fail not at your Peril and have you then and there this Writ Witness John Brice Esq.r Chief

Justice