he hath it and the Same day is Given to the plft also — Att which Said next Court to witt the Eighteenth day of June anno Domi One thousand Seven hundred and twenty three Comes again as well the Said plft by her attorney afd as the Said deft by his attorney afd and the Said deft by his Said attorney prays further Leave to Imparle hereunto untill the next Court and he hath it and the Same day is given to the plft also —

Att which Said next Court to witt the twentyeth day of August anno Domi One thousand Seven hundred and twenty three Comes again as well the Said plft by her attorney afd as the Said deft by his attorney afd and the Said deft by his Said attorney as before defends the force and Injury when &c. and Says that the afd Lady Baltemore her action afd against him Ought not to have because he Says that the afd William Stevens in his Life time paid the afd Lord Baltemore upon the afd tenth day of October next Ensueing the date of the Bill afd the afd three thousand pounds of tobacco which he upon the Same day Ought to pay according to the form and Effect of the Bill afd viz. at Coventry Parish in Somersett County afd and this he is ready to verifie whereof he prays Judgmt. if the afd Lady Baltemore her action afd against him Ought to have &c. -- Levin Gale ff Defte

And the afd Margarett Lady Baltemore Saith that She by any thing by the Said Thomas above in his plea alledged from having her action afd Ought not to be Barred because She Saith that the afd William Stephens in his Life time did not pay to the afd Lord Baltemore in his Life time the afd three thousand pounds of tobacco and Cask upon the afd tenth day of october next Ensueing the date of the Bill afd at Coventry parish in Somersett County afd according to the form and Effect of the Bill afd as the afd Thomas above in pleading hath alledged. and this She prays may be Enquired of by the Country &c. — ff Allen ff Qte — and the deft in Like manner - L Gale ff Defte

Thereupon Command is Given to the Sherr. of Sommersett County that Immediately he Cause to Come here twelve &c. by whom &c. who neither &c. to recognize &c. Because as well &c. of which Said precept the Said Sherr. to witt Joseph Mauchester Gentl. Now here at this day to witt the twentieth day of August anno Domi One thousand Seven hundred & twenty three afd makes return that he has here ready twelve &c. as by his Said Precept he was Commanded and nowhere afterwards to witt the Same day and Year Comes as well the Said plft as the Said deft by their attorneys afd and the Jurors of that Jury Impannelled Being Called Come to witt Richard Holland, John Beavens, John Fleming, Jonathan Raymond, Charles Townsend, John Tull, John Gillett, Thomas Collins, John Turvell, John Williams, Robert Mitchel, William Waltom who being duely Elected tryed and Sworn to Say the truth in the premisses upon their Oath do say that the afd William Stephens in his Life time did pay unto the afd Lord Baltemore in his Life time the afd sume of three thousand pounds of tobacco in the Bill Obligatory afd mentioned &c. Therefore it is Considered by the Justices here the twentieth day of August anno Domi One thousand Seven hundred and twenty three afd that the Said Margarett Lady Baltemore Executrix of the Same Charles Lord Baron of Baltemore &c. take nothing by her Writt and declaration afd but be in mercy for her false Clamour and that the Said Thomas Layfield Son & heir as afd Goe thereof without day &c.

Whereupon the Said Margarett Lady Baltemore Exr. as afd by her attorney afd prays an appeale from the Judgmt. of this Court in the action afd to the Justices of the provinciale Court to be held at the City of Annapolis the Second tuesday of September next which is granted She giveing Bond for the due prosecution thereof according to Law which Bond is as follows viz. Knowall men by these presents that I John Caldwell of Somersett —

(Commdr)