

George Macall would imploy one Robert Macklin then liveing in Talbot County his loveing friend to receive the same, & would deliver unto the said Matthew the said bills together with the said Letter of Attorney, the said Matthew did assume upon himselfe, & to the said George did faithfully promise that he the said Matthew would deliuer the same to the said Robert Macklin & returne a receipt to the said George from the said Robert Macklin for the said debts And the said Robert & Ann in fact say that the said George in his life tyme did deliver the said bills & Letter of Attorney aforesaid to the said Matthew to be delivered to the said Robert Macklin as aforesaid to be received for the use of him the said George as aforesaid Notwithstanding which the said Matthew in his life tyme nor the said Mary since his death Exec^x of the last Will & testament of the said Matthew according to his promise the receipt aforesaid for the said bills from the said Robert hath not returned to the said George in his life tyme nor to the said Robert & Ann since his death Exec^x of the last Will & testam^t of the said George though often thereunto required, but the same to returne hitherto hath & still doth deny to returne whereby the said Robert & Ann are uncapable of recovering the debts aforesaid to the damage of the said Robert & Ann Eighteen thousand pounds of tobacco & thereupon they bring their suite

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And the said Mary by Robert Carvile her Attorney cometh & defendeth the force & injury when &c and prayeth liberty to imparle hereunto untill next Provinciaall Court & itt is granted unto her, the same day is given to the plaintiffes also

Now here att this day to witt the thirteenth day of March in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678 came as well the said plaintiffes as the said Defend^t by their Attorneys aforesaid And the said Mary by her said Attorney saith, that the plaintiffes their action aforesaid against her ought not to haue, because she saith that the said Matthew Ward in his life tyme to witt upon the seventh day of January One thousand six hundred seventy foure did deliuer unto the said Robert Macklin the bills & Letter of Attorney in the list to the said Declaracōn annexed mencōned, & took a receipt for the same, & gave an accompt thereof to the said George Macall in his life tyme according to his promise aforesaid And the said Macklin in his life tyme & W^m Bishopp Administrato^{rs} of the Goods & Chattels of the said Robert Macklin since his death haue fully accompted wth the said George Macall in his life tyme or with Ann Macall Exec^x of the said George Macall since his death while she was sole, & with the said Robert & Ann since their intermarriage of for & concerning the same bills And the said Mary ought not to be charged therewith And this she is ready to averr And demands judgem^t if the said plaintiffes their accoñ aforesaid against her ought to haue Which being read & heard the