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to any of them in the Countys of this province whereby
he might be liable to Justice here to the great damage of
the said Plaintiffs and against the form of the Act of
Assembly and by reason of which said conveying the
said Richard Jerome out of this province as aforesaid
Not procuring his ret in one Month after according to
the said Act of Assembly action accrued to the said
Plaintiff: to have and require of the said Remains Smith
the said Sum of 3612 pounds of tobacco together
with the Damages &c. and thereupon they bring this
Suits Pleades &c. John Doe & Roe

Remains Smith

Charles Marshall
& wife

And the said Def. by Michael Carl his
Att. Com. and defends the force & injury
whence and for plea says that

that the plaintiffs their action ag. him
the said Def. ought not to have and maintain for
for y^e the said Defend. sayth y^e he is not obliged
by the said Act of Assembly to satisfy and pay y^e said
Sum of three thousand five hundred and twelve pounds
of tobacco in said plaintiffs debt Monney all which
he is ready to avow and therefor prays Judg. for his
Costs to be adjudged unto him by this Court &c.

Charles Marshall
& Remains Smith

And the said plaintiffs by their att. Com.
for replication say that the said plea of the
said Def. in Manner and form aforesaid pleaded

And the Matter therein contained is not sufficient in Law to Law
the said plaintiffs to make answer therunto and y^e they take
plea in Manner and form aforesaid pleaded hath no necessity nor by
the Law of the Land is bound to answer and this they are ready to
avow and thereupon prays Judg. for their debt and damages
to be adjudged unto them &c.

Supp^r

the said Defend. in his plea aforesaid saith the plaintiffs ought
not have their action &c. because the Def. by the Act
of Assembly is not obliged &c. which plea is altogether
insufficient and uncertain and too general for and no answer to
the plaintiffs debt for the Defend. in his aforesaid plea hath not taken
any plea nor assigned any to be taken &c. Making y^e
Demand. Joynt Cause &c. &c.

The