value recd of James Harris a ffd to make good payment and place to Acct of Robert Smyth aboue Said) w[ch] is uncertainly Sett forth in the Said Deed of the w[ch] the Said requires but w[ch] the aud no James Harris mentioned be Gone that in the Said Bill) quoting both Date Sum and Certainty in the Said bill as recited in the Said Deed w[ch] Deed Pleads the Contents are as follows but the recitals of the Said bill in the Said Deed not agreeing wth the Said Just or original bill and the Said Defend[ts] Not being Said to be of Some County in the Said Plaintiffs Deed is erroneous

2 The Said Pltfs in their Deed reciting the Said Second bill at Large Conclude the bill wth Place to Acct of Robert Smyth a ffd Governing the Said bill not Date w[ch] Sums Certainty in the Deed a ffd as also in the Said bill the Said Second bill not Said in ye Said Deed to be brought in Court the Said Defendants Cannot Answ[r] thereunto

3 The Said Pltfs in their Said Deed Say for want of payment of the Said bill thus protested as by the Said Original bill of Exchange protest and Copy of Said bill by the Said notary and all here in Court ready to be produced may more at Large appeare w[ch] Said original or first bill of Exchange being due and not paid w[ch] the Said Pltfs Intend by the Said Notary & all here in Court ready to be produced The Said Defts Know not / also the Said Pltfs in the proper Tenor in verba of their Said Deed have omitted to Sum up all the Said four bills & their dates and to Sett forth that none of the Said four bills are paid but the Sum therein mentioned is Still due &c w[ch] is paid & Render the whole proceedings Dark obscure and uncertaine and the Said Deed Insufficient because it is Impossible for the Said Defts / being &c / to know but that Some one of the other three bills a ffd may have been paid before the a ffd first bill was protested, or after the protest of the Said first bill by order of the Said Robert Smyth in his life time w[ch] the Said Pltfs in their in their Said Deed have not gainsaid Lex Ne mine Cogitt Impossible.

4 The Said Pltfs in their Said Deed Say for want of acceptance of the Said first bill of Exchange aforesaid Demand of the Said Robt Smyth to require and have of them the Said Robert and Anthony &c &c / w[ch] is as Impossible as untrue for by the Said Deed appears Accepted the Day of the protest w[ch] was in the life time of the Said Robert Smyth and no action Can Accrue against &c in the life time of the Testator and is uncertaine and fraud Covert and uncertainty the Law abhors

5 The Said Pltfs in their Said Deed Say / altho upon the first Day of May Anno Dm 1708 at Kent County a ffd within the Jurisdiction a ffd and often Since the Said Benjamin and Company they have been required / whereby it appeare that no Cause of Action for the Debt a ffd as the a ffd Defts in their a ffd Capacity Could be before the demand Said in the a ffd Pltfs Decl. &c: demand was Long time after the Sett of the Pltfs original writt w[ch] was Impossible for the a ffd Defts to foresee and Know and is a grand Error in

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