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And the said Margaret Lady Baltimore saith that the plea of the said Rachel above pleaded and the matter in the same contained is not sufficient in Law to preclude her the said Margaret Lady Baltimore from having her action of against the said Rachel and that she to that plea in manner and form as pleaded hath not need nor by the Law of the Land is she held to answer and that she is ready to verify wherefore for want of a sufficient plea in that part the said Margaret Lady Baltimore prays Judgment and her debt of together with her damages by occasion of the detaining of her said debt to her to be adjudged &c. *ff. Allen of the*

And the said Rachel saith that she sufficient matter in Law to preclude the said Margaret Lady Baltimore from having her action of against her the said Rachel above in pleading hath alledged which she is ready to verify which said matter the said Lady Baltimore doth not gainsay nor to it in any wise answer but that verification to and with all together refuses as before prays Judgment and that the said Lady Baltimore from having her action of against her the said Rachel may be precluded &c. *ff. Deane of the*

Whereupon all and singular the premises by the Court here being seen heard and fully understood and mature deliberation thereupon had it seems to the Court here that the plea of the said Rachel in manner and form as above pleaded and the matter in the same contained are good and sufficient in Law to Bar and preclude the said Margaret Lady Baltimore from her action of against the said Rachel to have or maintain.

Therefore it is considered by the Justices here the twentieth day of August and David One thousand Seven hundred and twenty three that the said Margaret Lady Baltimore *Esq.* of the same Charles Lord Baron of Baltimore &c. take nothing by her will and declaration as but be in mercy for her false Comon and that the same Rachel Evans *Esq.* of the said John Stett give thereof without day &c.

Whereupon the said Margaret Lady Baltimore *Esq.* as as by her attorney as prays an appeal from the former Judgment of this Court in the action of to the Justices of the provincial Court to be held at the City of Annapolis the second Tuesday of September next which is granted she giving Bond according to Law for the due prosecution thereof according to Law which Bond is as follows viz.

Know all men by these presents that I John Cadwell of Somerset County in the province of Maryland Gentleman attorney in fact for the right honorable Margaret Lady Baltimore Widows and *Esq.* of the Last will and testament of the right honorable Charles absolute Lord and Proprietary of the province of Maryland and Avalon Lord Baron of Baltimore &c. lately dec. am held and firmly Bound unto Rachel Evans of the said County Gentlewoman in the full and Just sum of Seven hundred and twenty Eight pounds of good Sound Merchable safe tobacco in Cash to Content the same to be paid unto the said Rachel Evans her heirs *Esq.* adm^r or assignee to the whole Payment well and truly to be made I bind my self my heirs *Esq.* and adm^r firmly by these presents sealed with my Seal and dated this 20th day of August and David 1723

The Condition of the above obligation is such that where as the said John Cadwell as attorney in fact for the said right honorable Margaret Lady Baltimore hath appealed from a Judgment given against her on behalf of the said Rachel Evans this present twentieth day of August at the County Court of this Lordships held for Somerset County as at Dividing Creek if there for the said John Cadwell on the behalf of the said Margaret Lady Baltimore shall give the directions of the act for regulating Writs of Error and granting appeals at the next Provincial Court to be held at Annapolis for the province of Maryland the second Tuesday in September next and prosecute the same appeal with Effect and also satisfy and pay the said Rachel Evans -

(her)