

Aug^t Court

1732

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Incumbrances whatsoever unto the above Named Joseph Jones his heirs or assigns in consideration of twenty three pounds current Money of this Province of Maryland by him to be paid then this obligation to be void and of None Effect Witness Whereof I have hereunto set my hand and seal this 11 day of Feb^y one thousand seven hundred and 30th - Which being read and heard the Said William saith that he the Same Joseph his action aforesd against the Said Shipham ought not to have because he saith that the aforesd Will^m hath alienated and confirmed the tract of Land in the Condition aforesd Mentioned to the aforesd Joseph Jones his heirs and assigns According to the forme and Effect of the Condition afo and this he is ready to Verify Whereupon he prays Judgment if the Said Joseph his action aforesd thereof against him ought to have - And the Same William by leave of the Court and According to the Statute &c further saith that the aforesd Joseph his action afo against the Said William to have ought not because by protestation the Said Will^m saith that he hath alienated and confirmed the tract of Land in the Condition aforesd Mentioned to the aforesd Joseph Jones his heirs and assigns According to the forme and Effect of the Condition aforesd for plea he saith that the afo Joseph hath not paid to the Said Will^m the sum of twenty three pounds - Current Money of this province of Maryland and this he is ready to Verify Whereupon he prays Judgment if the Said Joseph his Said action against the aforesd William to have ought -

And the aforesd Joseph saith that by any thing prealleged from having and Maintaining his action afo to preclude he ought not because he saith that the aforesd William hath not alienated and confirmed the tract of Land in the Condition aforesd Mentioned to the afo Joseph Jones his heirs and assigns According to the forme and Effect of that Condition as the afo Will^m above by Pleading hath Alleged and this he prays may be Enquired by the Court -

And the aforesd Joseph as to the plea of the aforesd Will^m by the Leave of the Court and According to the Statute pleaded saith that that plea and the matter in the Same Contained are altogether Insufficient in Law and that he there to Hath no Head or by the Law of the Land in any Sort is held to answer and this he is ready to Verify Wherefore for want of sufficient plea in that case he prays Judgment and his Debt afo Together with his Damage occasioned by the Detention of that debt to him to be adjudged

His Debt Doyn's Generally in Demandor &c
Whereupon all and singular the premises by the Court have been heard and fully understood and mature deliberation thereupon had wherefore it seemeth to the Same Court that the plea aforesd