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aforesaid by their Attorney aforesaid as the aforesaid Luther Martin by his Attorney by his Attorney aforesaid. And the said Luther Martin saith that the said Richardson and Armstrong notwithstanding any thing in their Replication aforesaid alledged ought not to have and maintain their Action aforesaid thereof against him because he saith that the said Jeremiah Townley and Richard did not take the said writing obligatory by the said Luther Martin in his aforesaid plea mentioned without indorsing on the Back side thereof for what matter, or how the same did become due, and of this he puts himself upon the Country &c. and the aforesaid James Armstrong and Richardson Stewart Executors aforesaid in like manner &c.

Therefore let a Jury thereupon appear before the Judges of our General Court here immediately by whom &c. and who neither &c. to recognize &c. because as well &c. who being called come that is to say, Elisha Hall, James Giles, John Tully Worthington, Hannanus Aldricks, Thomas Somerville, Archibald Robinson, David Slater, Elie Vallette, Henry Diggs, James Cooksey, Daniel Linder, and John Patterson, who being duly elected, tried and sworn to say the truth in the premises, upon their Oath, do say, that as to the first Issue between the said James Armstrong and Richardson Stuart Executors aforesaid and Luther Martin within joined, that the said Luther Martin did not pay to the said Alexander McFadon in his life time the said sum of One hundred and ten pounds specie in the aforesaid writing obligatory mentioned together with all Interest due thereon in such manner and form as the aforesaid Luther Martin within by his first plea hath alledged wherefore the Jurors aforesaid on their Oath aforesaid, do say that there is due to the said James Armstrong and Richardson Stuart Executors aforesaid on the writing obligatory aforesaid in the Declaration within mentioned the aforesaid sum of One hundred and ten pounds current money. And they do assess the Damages of the said James Armstrong and Richardson Stuart Executors aforesaid sustained by reason of the detention of the Debt aforesaid to the sum of Sixty four pounds and and one farthing current money of Maryland. And as to the second Issue between the said James Armstrong and Richardson Stuart Executors aforesaid and Luther Martin within joined, the Jurors aforesaid on their Oath aforesaid do further say, that the said Jeremiah Townley Chase and Richard Ridgely in the second plea of the said Luther Martin within mentioned did not endorse on the Back side of the said writing obligatory in the said second plea of the said Luther Martin within mentioned for what matter or cause the said writing obligatory was taken in such manner and form as they ought to have done, as the said James Armstrong and Richardson Stuart Executors aforesaids within by replying have alledged.

And hereupon the aforesaid Luther Martin in his proper person moves the Court here in Arrest of Judgment of and upon the Verdict aforesaid by the Jurors aforesaid found, and prays that the said Verdict may be set aside, and files in Court here the following Reasons to wit:

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Mc Fadden's Extrs against Luther Martin

The Defendant in this Cause prays that no Judgment may be entered on the Verdict of the Jury in this Cause because he saith that the Issue joined in this Cause and found by the Jury in favor of the plaintiff is an immaterial Issue on which no Judgment ought to be given for the Plaintiff.

Luther Martin

But because the Court here are not advised to give their Judgment of and upon the premises day therefore is given to the parties aforesaid until the second Tuesday of May next to hear their Judgment of and upon the premises, because the Court here thereof not yet &c.

At which said second tuesday of May being the eighth day of the same month Anno Domini seventeen hundred and ninety two come again here into our General Court as well the aforesaid James Armstrong and Richardson Stuart Executors aforesaid by their Attorneys aforesaid as the aforesaid Luther Martin in his proper person. But because the Court here are not yet advised to give their Judgment of and upon the premises day therefore is further given to the parties aforesaid until the second tuesday of October next to hear their Judgment of and upon the premises, because the Court here thereof are not yet &c.

At which said second Tuesday of October being the ninth day of the same month Anno Domini seventeen hundred and ninety two come again here into our General Court as well the aforesaid James Armstrong and Richardson Stuart Executors aforesaid by their Attorneys aforesaid as the said Luther Martin in his proper person. But because the Court here are not yet advised to give their Judgment of and upon the premises day therefore is further given to the parties aforesaid until the second tuesday of May next to hear their Judgment of and upon the premises, because the Court here thereof are not yet &c.

At which said second tuesday of May being the fourteenth day of the same month Anno Domini seventeen hundred and ninety three come again here into our General Court as well the aforesaid James Armstrong and Richardson Stuart by their Attornies aforesaid the aforesaid Luther Martin in his proper person. Whereupon all and singular the premises being seen, heard and by the Court here fully understood and mature deliberation thereupon had It is considered by the Court here that the aforesaid James Armstrong and Richardson Stuart Executors aforesaid take nothing against the said Luther Martin of and upon the Verdict aforesaid by the Jurors last aforesaid found, and that the said Verdict be set aside, And it is further considered and adjudged by the Court here that the Issue last aforesaid between the said James Armstrong and Richardson Stuart Executors aforesaid and the said Luther Martin within joined be struck out, and that the said James Armstrong and Richardson Stuart Executors aforesaid to the plea last aforesaid of the said Luther Martin hereinbefore set forth further Reply &c.

And the aforesaid Stewart and Armstrong by their Attorney come and say that they by any thing in the plea of the said Luther alledged from having and maintaining their Action against him to be precluded ought not, because they they that by an Act of Assembly made and passed at a Session of Assembly begun and held at the City of Annapolis on the twenty sixth day of April in the year of our Lord one thousand seven hundred and fifteen entitled an Act for rectifying the ill practice of Attorneys of this pro-

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