And now here at this day to wit the same Second Tuesday of March aforesaid the aforesaid John Davidge by Charles Gordon his Attorney cometh and defendeth the force and injury when and so forth and prayeth leave to imparle unto the Declaration aforesaid hereuntil the second Tuesday of June next and he hath it and the same day is given to the same Peter Bayard and Stuyler Bouchell here and so forth — On which said Second Tuesday of June until which day the aforesaid John Davidge had leave to the Declaration aforesaid to imparle come here again as well the aforesaid Peter Bayard and Stuyler Bouchell by their Attorney aforesaid as the aforesaid John Davidge by his Attorney aforesaid And Thereupon the said John Davidge by his said Attorney prayeth further leave to imparle thereunto hereuntil the second Tuesday of August next and he hath it and the same day is given to the same Peter Bayard and Stuyler Bouchell here and so forth — On which said second Tuesday of August come here again as well the aforesaid Peter Bayard and Stuyler Bouchell by their Attorney aforesaid as the aforesaid John Davidge by his Attorney aforesaid And Thereupon the said John Davidge by his said Attorney prayeth further Leave to imparle thereunto hereuntil the Second Tuesday of November next and he hath it and the same day is given to the same Peter Bayard and Stuyler Bouchell here and so forth — On which said second Tuesday of November come here again as well the aforesaid Peter Bayard and Stuyler Bouchell by their Attorney aforesaid as the aforesaid John Davidge by his Attorney aforesaid And Thereupon the said John Davidge by his said Attorney prayeth further leave to imparle thereunto hereuntil the Second Tuesday of March next and he hath it and the same day is given to the same Peter Bayard and Stuyler Bouchell here and so forth — On which said Second Tuesday of March come here again as well the aforesaid Peter Bayard and Stuyler Bouchell by their Attorney aforesaid as the aforesaid John Davidge by his Attorney aforesaid And Thereupon the said Peter Bayard and Stuyler Bouchell by their said Attorney pray that the aforesaid John Davidge to their Declaration aforesaid may answer. Thereupon the said John Davidge by his said Attorney as before defends the force and injury when and so forth and says that the afsd Peter and Stuyler ought not to have or maintain their Action afsd thereof against him by virtue of the Writing Obligatory afsd because he saith that on the day and Year above specified in the Declaration afsd at Cecil County afsd he caused the said Writing to be Written and Sealed

and

and Delivered the same to one Peter Bayard as an Escrow to be kept safe and securely upon Condition that if afterwards the said Peter and Stuyler named in the said Writing should deliver to one Allethea Ferry named also in said Writing and Administrator of the Goods and Chattles rights and Credits of Benjamin Ferry late of Cecil County then Deceased a bond or Writing Obligatory of the said Benjamin Ferry to James Bayard late of Cecil County then Deceased for the sum of twenty five Pounds Current Money of Maryland proved in such manner as the Commissary would pass the same and so as the said Allethea Ferry could charge the said Benjamin Ferrys Estate therewith that then the said Writing Obligatory in the Declaration afs mentioned should be delivered to the said Peter and Stuyler as the Deed of him the said John and not otherwise and the said John doth in fact avow that the said Peter and Stuyler or either of them would not deliver to her the said Allethea the afs Bond or Writing Obligatory of the said Benjamin to the said James Bayard proved so as the Commissary would pass the same or as the said Allethea could charge the said Benjamins Estate therewith And so the said John says that the Writing aforesaid here in Court produced by the said John in form aforesaid delivered the Condition aforesaid not being performed is not his Deed and therefore he puts himself upon the Country and so forth

(Seal) Francis Key Clk

Cecil County to wit

In Testimony that the aforegoing is a true Transcript from the Records and proceedings of the Court first aforementioned I have hereunto set my hand and Affixed the Public Seal of Cecil County aforesaid this twentieth day of March in the Year of our Lord Christ one thousand seven hundred and Sixty

Francis Key Clk of Ccc Coll. afs

The Charge for the aforegoing Transcript under Seal is — 7/6 p. Tobacco Test Francis Key Clk

And now here at this day to wit the 4th day of April Anno Domini 1760 comes into his Lordships Provincial Court as well the said Peter Bayard and Stuyler Bouchell by their Attorney aforesaid as the said John Davidge by his Attorney aforesaid And the said John Davidge by his said Attorney prays leave to Imparle hereunto until next Court and he hath it and the same day is given the said Plaintiffs also —

At which said next Court to wit the 4th day of September Anno Domini 1760 come again the said parties Plaintiffs and Defendant by their Attorneys aforesaid And the said Defendant by his said Attorney prays further Leave to Imparle hereuntill the next Court and he hath it and the same day is given to the Plaintiffs also —

(At)