defends the force and injury when and so forth, and saith that the said Plaintiffs their action aforesaid against him to have and maintain ought not, because, he saith, that he the said George from the fourth day of July in the year seventeen hundred and seventy six, became a subject of the State of Maryland and from the said time until the present time always has been and still is a subject of the said State owing and yielding allegiance to the same and that the said Plaintiffs, and the said John Glassford were on the day and year aforesaid subjects to the king of Great Britain and from the said time the said John Glassford to the time of his death continued a subject of the king of Great Britain, and resided in the British dominions to wit in Scotland in Great Britain, and the said Plaintiffs from the said fourth day of July in the year seventeen hundred and seventy six always have been and still are subjects to the king of Great Britain owing and yielding allegiance to him, have always since the day and year aforesaid resided in the British dominions to wit in Scotland in Great Britain, and the said Charles saith that at a session of the General assembly of Maryland begun and held at the city of Annapolis on the seventeenth day of October in the year seventeen hundred and eighty by a certain Act passed at the said session by the General Assembly aforesaid entitled an act to seize, confiscate and appropriate all British property within this State, it was among other things enacted as follows to wit, that no payments or remittances whatsoever shall be made by any subject of this State to any subject of Great Britain or any person in the British dominions, unless by the parent or guardian of any child who may be in any part of the British dominions for his education and in such case so much only as may be necessary to defray the expences of removing such child out of the British dominions or by the husband or father for the support of his wife or children until they can be removed, which act always since the passing thereof hath remained and still doth remain in full force and unrepealed, and the said George in fact saith, that he never was either parent, guardian, father or husband, to any of the said Plaintiffs or to the said John Glassford, nor were the said Plaintiffs or to the said John Glassford or any of them at the time of passing the said act or for a long time before or since children remaining in the British dominions for education, but they and every of them were persons of full age of twenty one years and upwards on the fourth day of July in the year seventeen hundred and seventy six aforesaid and this the said George is ready to verify, wherefore he prays Judgment if the said Plaintiffs their action aforesaid against him to have and maintain ought and so forth. — And the said George by his said attorney comes and further defends the force and injury when and so forth, and with leave of the Court here according to the Statute, further saith, that the said Plaintiffs their action aforesaid against him the said Charles to recover from him the said Charles the principal sum of money in the said Condition mentioned together with interest thereon from the date of the said writing obligatory, to have and maintain ought not, because he the said George saith that on the fourth day of July in the year seventeen hundred and seventy six a war had broke out and was continuing between the king of Great Britain, and the United States of America, and the said war continued and was carried on by the king of Great Britain against the said United States (of which the State of Maryland is one) from the said day and year until the thirtieth day of November in the year seventeen hundred and eighty two, that the said George on the said fourth day of July in the year

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seventeen hundred and seventy six, was a subject and citizen of the State of Maryland and always since hath been and still is a subject and citizen of the same State owing and yielding allegiance to the same State, and that the said Plaintiffs and John Glassford aforesaid were on the day and year last aforesaid subjects of the king of Great Britain aforesaid, owing and yielding allegiance to him, and the said John Glassford so continued and resided in the British dominions until the time of his death, and the said Plaintiffs always since have been and yet are subjects to the said king and always have resided in the British dominions, and from the said fourth day of July in the year seventeen hundred and seventy six, until the thirtieth day of november in the year seventeen hundred and eighty two the said Plaintiffs and the said John Glassford were alien enemies to the State and citizens of Maryland incapable of suing in the Courts of the said State, and this the said Charles is ready to verify, wherefore he prays Judgment if the said Plaintiffs their action against him to recover the principal sum of money in the Condition of the said obligation mentioned with interest thereon from the date of the said writing obligatory to have and maintain ought and so forth. — And the said George with leave of the Court here comes and by his said attorney further defends the force and injury, when and so forth, and saith, that the said Plaintiffs their action aforesaid against him to have and maintain ought not because he saith, that after the making of the said writing obligatory and before the impetration of the original writ in this cause, he did pay to the said Plaintiffs the sum of three hundred and eighty two pounds, sixteen shillings and eight pence current money in the Condition of the said writing obligatory mentioned with legal interest thereon according to the form and effect of the said Condition, and this he is ready to verify, wherefore he prays Judgment if the said Plaintiffs their action aforesaid against him to have or maintain ought and so forth. — And the said George with leave of the Court here comes and further defends the force and injury when and so forth, and saith that that the said Plaintiffs their action aforesaid against him the said Charles to recover the principal money in the Condition of the said obligation mentioned with interest thereon from the date thereof to have and maintain ought not because he saith, that on the fourth day of July in the year seventeen hundred and seventy six an unjust and wicked war was waged and carried on by the king of Great Britain against the United States of America, and the people and citizens of said States, and the said unjust and wicked war was so carried on by the king of Great Britain from the day and year aforesaid, until the thirtieth day of November in the year seventeen hundred and eighty two, that during all the time aforesaid, the said Plaintiffs and John Glassford aforesaid were subjects of the king of Great Britain residing in his dominions owing and yielding allegiance to the said king and as his subjects, assisting and contributing to the prosecution of the said unjust and wicked war, and that the said Plaintiffs at the time of suing the original writ in this cause were and still are subjects of the said king and aliens to the State of Maryland, that the said George on the said fourth day of July in the year seventeen hundred and seventy six, was a subject and citizen of the State of Maryland (one of the United States of America) residing in the said State and owing and yielding allegiance to the same, and the said George always since hath been and still is a citizen and subject of the said State, and the said George suffered loss, damage and injury by the said unjust and wicked war, to the amount of the sum mentioned in the said Condition of the obligation aforesaid, and interest thereon and which damage loss and injury has never been repaid, or in any manner repaid by the king of Great Britain or any of his subjects, nor did the said George ever repair the said loss, damage and

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