attornies aforesaid. And the aforesaid John McLure by his attornies aforesaid prays leave of the Court here to withdraw his plea aforesaid above herein set forth, and that he may have liberty to plead de novo in the suit aforesaid and it is granted him.

And the aforesaid John McLure by Luther Martin his attorney ~~ aforesaid as before defends the force and injury when and so forth and saith that the said Charles Wallace, Joshua Johnson and John Muir their action aforesaid thereof against him to have or maintain ought not because he saith that he did not assume upon himself in manner and form as the said Wallace, Johnson & Muir against him have above declared, and of this he puts himself upon the Country and so forth. And the said John with the leave of the Court according to the Statute in that case made and provided further comes and defends the force and injury when and so forth and saith that the said Wallace Johnson and Muir their action aforesaid thereof against him to have or maintain ought not because he saith that he did not assume upon himself in manner and form as the said Wallace, Johnson and Muir against him above have declared at any time within three years before the impetration of the original writ aforesaid of the said Wallace, Johnson and Muir in this cause and this he is ready to aver and so forth. Wherefore he prays Judgment if the said Wallace, Johnson & Muir their action aforesaid against him to have or maintain ought &c. And the said Wallace, Johnson and Muir as to the first plea of the said John McLure in like manner and so forth And the said Wallace Johnson and Muir as to the second plea of the said John McLure above pleaded say that they by any thing in the said plea alledged to be precluded from having & maintaining their said action ought not because they say that the said John McLure did assume upon himself within three years before the impetration of this writ in this cause in manner & form as they the said Wallace Johnson & Muir above against the said John have alledged & this they pray may be enquired of by the Country & so forth. and the said John McLure in like ~~ manner &c.

Whereupon for trying the issues aforesaid command again is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court here immediately twelve &c. by whom &c. and who neither &c. to recognize &c. because as well &c. And the Sheriff of Ann Arundel County to wit James Williams Esqr. to whom the aforegoing precept was directed makes return thereof that

he has here ready twelve &c. as by the said precept he was commanded, who being ~ called come in their proper persons to wit. Thomas Blake, Henry Gardiner, ~~ James Beatty, Corbin Onions, Henry Coone, Samuel Durham, John Blackstone ~ Samuel Jones, Brooke Magruder, William McComas, William Gordon, and ~ Michael Omealy, who being duly elected, tried and sworn to say the truth in the premises upon their oath do say that the said John McLure did assume upon himself in such manner and form as the said Charles Wallace, Joshua Johnson and John Muir have within complained against him. And the Jurors aforesaid on their oath do further say that the said John McLure within three years next before the impetration of the original writ of the said Charles Wallace, Joshua Johnson and John Muir did assume upon himself in manner and form as the said Charles Wallace Joshua Johnson and John Muir within by replying have alledged and they assess the damages of them the said Charles Wallace, Joshua Johnson and John Muir by reason of the non performance of the promises and assumptions within mentioned to the sum of one hundred and forty one pounds ten shillings and eight pence current money of Maryland.

Therefore it is considered by the Judges here that the aforesaid Charles ~ Wallace, Joshua Johnson and John Muir recover against the said John McLure as well the sum of one hundred and forty one pounds ten ~ shillings and eight pence current money their damages aforesaid in ~ form aforesaid assessed, as also the sum of eleven hundred and forty six pounds of tobacco by the Court here unto the said Charles Wallace Joshua Johnson and John Muir on their assent adjudged for their costs and charges by them about their suit in this behalf laid out and expended, and the said Defendant in mercy &c.

Thereupon the said John McLure by his attornies aforesaid prays an Appeal from the Judgment aforesaid so as aforesaid rendered, to the State of Marylands High Court of Appeals, and the same is granted on giving security according to Act of Assembly &c. Whereupon the said John McLure by his attornies aforesaid files in Court here the following Appeal Bond to wit, Know all men by these presents that we John McLure Archibald Campbell and William Goodwin all of Baltimore County and State of Maryland are held and firmly bound unto Charles Wallace, Joshua Johnson and John Muir of Ann Arundel County and State aforesaid in the full and just sum of four hundred pounds current money to be paid to the said Charles Wallace Joshua Johnson and John Muir their certain attorney executors ~~ administrators or assigns. To the which payment well and truly to be made and done we bind ourselves and each of us our and each of our heirs executors and administrators in the whole and for the

(whole)