the use of the said John Fries if it shall happen that the said Abraham shall not pay the said debt, damages, costs and charges or render himself to the prison and custody of the Sheriff of the County aforesaid on that occasion: And thereupon on motion of the said John Fries by his attorney aforesaid, it is ruled by the Court here, that the said Abraham Faw answer to the declaration aforesaid of the said John Fries in the plea aforesaid or Judgment by the Court here will be entered against him in default thereof: and the said Abraham Faw by his attorney aforesaid, defends the force and injury, when, and soforth, and prays leave of the Court here to imparle until the second Tuesday of October next, and then to answer to the declaration aforesaid of the said John Fries in the plea aforesaid, and to him it is granted: the same day is given to the said John Fries also:

At which said second Tuesday of October being the ninth day of the said month, in the year of our Lord one thousand seven hundred and ninety two, to which said day the said Abraham Faw had leave to imparle and then to answer to the declaration aforesaid of the said John Fries in the plea aforesaid, comes again into the General Court here, as well the said John Fries by his attorney aforesaid, as the said Abraham Faw by his attorney aforesaid: And the said Abraham Faw by his attorney aforesaid, as before, defends the force and injury, when, and soforth. and saith that the aforesaid John his action aforesaid to have ought not because he saith that he paid to the aforesaid John within three months after the date of the said writing obligatory the aforesaid two hundred and forty nine Pounds ten shillings and six pence which he on the same day ought to have paid according to the form and effect of the aforesaid bill, to wit, at Frederick County aforesaid. And this he is ready to verify: wherefore he prays Judgment whether the aforesaid John ought to have his action thereof against him and soforth. And the said John Fries by his attorney aforesaid saith that he by any thing by the said Abraham Faw above in pleading alleged from having and maintaining his action aforesaid against him ought not to be precluded because he saith that the said Abraham Faw did not pay unto him the said John Fries the aforesaid sum of money in the bill aforesaid mentioned with the interest thereon in manner and form as the said Abraham Faw above by pleading hath alledged and this

this he prays may be enquired of by the County and the said Abraham Faw in like manner and soforth: Therefore let a Jury thereupon appear before the Court here on the second Tuesday of May next, by whom, and soforth, and who neither, and soforth, to recognize, and soforth because as well, and soforth the same day is given to the said parties then and there, and soforth.

And now at this day, to wit, the said second Tuesday of May being the fourteenth day of the said month in the year of our Lord one thousand seven hundred and ninety three, comes again into the General Court here, as well the said John Fries by his attorney aforesaid, as the said Abraham Faw by his attorney aforesaid: and the said Abraham Faw by his attorney aforesaid, relinquishing the averment aforesaid, above by him pretended, says, that he cannot deny the action aforesaid of the said John Fries so as aforesaid against him brought, nor but that he owes to the aforesaid John Fries the aforesaid sum of two hundred and forty nine Pounds ten shillings and six pence current money, in such manner and form as the aforesaid John Fries above against him hath complained, nor but that the aforesaid John Fries hath sustained damage by reason of the detention of the debt aforesaid to the aforesaid sum of one hundred and fifty Pounds current money in like manner and form as the aforesaid John Fries within against him hath complained, besides his costs and charges by him about his suit in this behalf laid out and expended, and soforth. And thereupon the aforesaid John Fries by his attorney aforesaid, prays Judgment for his debt aforesaid, so as aforesaid confessed, together with his damages so as aforesaid acknowledged, as also for his costs and charges by him about his suit in this behalf laid out and expended, to him to be adjudged, and soforth: Therefore it is considered by the Court here, that the said John Fries recover against the said Abraham Faw as well the said sum of two hundred and forty nine Pounds ten shillings and six pence current money, his debt aforesaid in form aforesaid confessed, as the said sum of one hundred and fifty Pounds current money, his Damages aforesaid, acknowledged to be sustained by reason of the detention of the said debt; as also the quantity of seven hundred and ninety nine Pounds by the Court here unto the said John Fries on his assent, adjudged for his costs and charges by him about his suit in this behalf laid out and expended, and the aforesaid Abraham Faw in mercy, and soforth.—

Memorandum. Judgment rendered in this cause on the