come and defend the force and injury when and so forth and pray leave to imparle hereunto untill next Court and they have it, and the same day is given to the Plaintiff also. —

And the said Thomas Cornelius Howard by Henry Ridgely his Attorney prays that the said Joseph Davis of Luke Thomas Dorsey of Henry and Vachel Burgess to his Declaration may answer by the first day of February next; And the said Joseph Davis Thomas Dorsey and Vachel Burgess by Gabriel Duvall their Attorney come and defend the force and injury when and so forth and pray an hearing of the Writing obligatory aforesaid and the Condition thereof and the same are read unto them in these words; which being read and heed the said Joseph Davis Thomas Dorsey and Vachel Burgess say that the said Thomas Cornelius his Action aforesaid against them to have or maintain ought not because they say that the aforesaid Joseph from the time of the making of the writing obligatory aforesaid hitherto hath well and faithfully observed performed and fulfilled all and every thing in the Condition aforesaid mentioned on his part to be performed observed and fulfilled according to the form and effect of the said Condition, and this they are ready to verify: wherefore they pray Judgment if the aforesaid Thomas Cornelius his Action aforesaid against them to have or maintain ought and so forth. —

At which said next Court, to wit, the third Monday in April seventeen hundred and ninety two come again the said parties Plaintiff and Defendants by their Attorneys aforesaid; and the said Defendants by their said Attorneys pray further leave to imparle — hereunto untill next Court and they have it, and the same day is — given to the Plaintiff also. —

At which said next Court, to wit, the third Monday in — September seventeen hundred and ninety two come again as well the said Thomas Cornelius Howard by his Attorney aforesaid as the said Joseph Davis of Luke, Thomas Dorsey of Henry and Vachel Burgess by their Attornies aforesaid; And the said Thomas Cornelius Howard by his said Attorney as before defends the force and injury when and so forth and saith that the said Thomas Cornelius by the aforesaid Joseph Thomas and Vachel in their plea above alledged from having and maintaining his Action aforesaid against them the said Joseph Thomas and Vachel to be precluded ought not because protesting that the aforesaid Joseph Davis of Luke, Thomas and Vachel in the

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condition of the said writing obligatory mentioned have not performed any thing in the Condition above specified on their part to be performed according to the form and effect of the Condition aforesaid as the said Joseph Thomas and Vachel above alledged for plea Nevertheless the said Thomas Cornelius by replying saith that at a County Court for the State of Maryland begun and held at the City of Annapolis in the County — of Ann Arundel on the day of August in the year seventeen hundred and eighty eight before Nicholas Worthington Esquire then one of the Justices of the said County and others his Associates then Justices of the same Court held in and for the County aforesaid the aforesaid Thomas — Cornelius Howard by consideration of the same Court did recover against a certain Joseph Davis of Luke as well the sum of fifty pounds Current Money certain Damages as the sum of two hundred and seventy three pounds of Tobacco Costs of Suit in that behalf laid out and expended as by the record and process thereof in the aforesaid County Court of Ann Arundel County aforesaid of record remaining fully appears which said Judgment in form aforesaid had and obtained was for a just and bona fide Debt due to the said Thomas Cornelius Howard by the said Joseph Davis and then and yet not being paid in any manner satisfied and the said Thomas Cornelius further saith that the said — Judgment in form aforesaid had and obtained is still in force and effect remaining not reversed or satisfied but the aforesaid sum of fifty pounds Current Money and the quantity of two hundred and seventy three pounds of Tobacco in the Judgment aforesaid mentioned still remains due and unpaid to the said Thomas Cornelius and so the said Thomas Cornelius saith that the said Joseph Davis hath not paid any part thereof according to the form and condition of the writing obligatory aforesaid and this the said Thomas Cornelius is ready to verify and so forth, wherefore the said Thomas Cornelius prays Judgment for the Debt aforesaid together with Damages for the detention of the said Debt to be adjudged and so forth with this that the said Thomas Cornelius will verify that the said Joseph Davis in the writing obligatory aforesaid — mentioned and the said Joseph Davis in the Record of the Judgment aforesaid mentioned is one and the same person and not other or diverse: — And the said Joseph Davis, Thomas Dorsey and Vachel Burgess by their Attornies aforesaid rejoin that they have paid the Money and Costs of Suit aforesaid in the pleading aforesaid mentioned and put themselves upon the Country and the said Plaintiff in like

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