same Month in the year of our Lord one thousand seven hundred and ninety three, to which said day the said George Shank had leave to imparle, and then to answer to the Declaration aforesaid of the aforesaid Benjamin Ogle in the plea aforesaid, come again into the General Court here as well the aforesaid Benjamin Ogle by his Attorney aforesaid, as the said Tobias Butler Sheriff of the County aforesaid. And the ~~Sheriff~~ said Tobias Butler Sheriff as aforesaid being again solemnly called upon to bring into Court the body of him the said Joseph Wood whom this day he ought to have here in compliance with the rule aforesaid, and to shew the Amerciament aforesaid brings him the said Joseph Wood in, Thereupon it is Ordered by the Court here that the Amerciament aforesaid be struck out. And the said Joseph Wood by Joshua Dorsey his Attorney appears in Court here, And thereupon on Motion of the aforesaid Benjamin Ogle by his Attorney aforesaid; It is ruled by the Court here, that the said Joseph Wood answer to the Declaration aforesaid of the aforesaid Benjamin Ogle in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof; And the said Joseph Wood by his Attorney aforesaid defends the force and injury when and so forth; and prays leave of the Court here to imparle until the second Tuesday of May next and then to answer to the Declaration aforesaid of the aforesaid Benjamin Ogle in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Benjamin Ogle also.

And now also comes here into Court the aforesaid George Shank by his Attorney aforesaid, and the said George Shank by his Attorney aforesaid as before defends the force and injury when and so forth, and prays further leave of the Court here to imparle until the said second Tuesday in May next and then to answer to the Declaration aforesaid of the aforesaid Benjamin Ogle in the plea aforesaid, and to him it is granted, the same day is given to the aforesaid Benjamin Ogle also.

At which said second Tuesday of May being the thirteenth day of the same Month in the year of our Lord one thousand seven hundred and ninety four, to which said day the said Joseph Wood and George Shank had leave to imparle, and then to answer to the Declaration aforesaid of the aforesaid Benjamin Ogle in the plea aforesaid comes again into the General Court here as well the aforesaid Benjamin Ogle by his Attorney aforesaid as the said Joseph Wood and George Shank by their Attorney aforesaid, And the said Joseph Wood by his Attorney aforesaid as before defends the force and Injury when and so forth, and says that he cannot deny the cause of Action aforesaid, nor can he deny, that he the said Benjamin ought to recover against him, But the said Joseph saith, that in pursuance of an Act of Assembly passed at a Session of Assembly on the twenty second day of December seventeen hundred and ninety two entitled an Act for the relief of sundry insolvent Debtors he the said Joseph was

duly

duly discharged from all debts whatever according to the tenor and effect of the said Act of Assembly on the tenth day of May seventeen hundred and ninety three, to wit, at the County aforesaid, And the said Joseph saith, that the cause of Action aforesaid, and the money due upon the said Writing Obligatory accrued and became due to the said Benjamin before the date of the discharge aforesaid, to wit, at the County aforesaid, And this the said Joseph is ready to verify, Wherefore he prays Judgment that his person may be discharged from the Execution of the Judgment aforesaid to be obtained in this behalf against him by the said Benjamin according to the form and effect of the Act of Assembly aforesaid, and so forth.

J Dorsey for Deft.

Therefore it is considered by the Court here that the aforesaid Benjamin Ogle recover against the said Joseph Wood the Sum of seven hundred and two pounds, eleven Shillings and Eight pence Current money of Maryland his debt aforesaid in form aforesaid confessed. But because it is convenient that there should be but one taxation of Damages in this behalf, therefore, let a Taxation of damages against the said Joseph Wood stay until the plea between the aforesaid Benjamin Ogle and the said George Shank is determined. And the said George Shank by his Attorney aforesaid as before defends the force and Injury, when and so forth, and saith that he the said Benjamin his Action aforesaid to have or maintain ought not because he says that the said Joseph Wood mentioned in the said Writing Obligatory paid unto the said Benjamin the Sum of money with Interest thereon mentioned in the Condition of the said Writing Obligatory according to the form and effect of the Condition thereof, to wit, at Frederick County, And this the said George is ready to verify, Wherefore he prays Judgment if the said Benjamin his Action aforesaid to have or maintain ought and so forth.

J Dorsey for G Shank

And the aforesaid Benjamin Ogle by his Attorney aforesaid saith, that he by any thing by the said George Shank above in pleading alleged from having or maintaining his Action aforesaid against him ought not to be precluded, because he saith, that the said George Shank did not pay unto him the aforesaid Benjamin Ogle the aforesaid Sum of money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said George Shank above by pleading hath alleged, And of this he prays may be enquired of by the Country, and the said George Shank in like manner and so forth. Therefore let a Jury thereon appear before the Court here on the second Tuesday of October next by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties then and there and so forth.

And now at this day to wit, the said second Tuesday of October being the fourteenth day of the same month in the year of our Lord one thousand seven

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