Acknowledged before. Thomas Elliot, Geo: Talmon,

I Charles Walker empower, authorise and appoint Samuel Johnston Esquire to appear for me in the above Action, Given under my hand and seal this 15th day of October seventeen hundred and ninety four.

Witness, Loveless Gorsuch Jr. Charles Walker (Seal)

To the Honorable the Judges of the General Court.

And the said Charles Walker by Samuel Johnston his attorney aforesaid defends the force and injury, when and so forth and prays leave of the Court to Imparle hereunto untill next Court and he hath it, the same day is given to the aforesaid James Kelso and Mary his wife also.

At which said next Court, to wit, the second Tuesday of May being the twelfth day of the same month Anno domini seventeen hundred and ninety five come again here into our General Court as well the aforesaid James Kelso and Mary his wife by their Attorney, aforesaid as the aforesaid Charles Walker by his Attorney aforesaid. And the aforesaid Charles Walker by his Attorney aforesaid as before defends the force and injury, when and soforth and prays further leave of the Court to Imparle hereunto untill next Court, and he hath it, the same day is given to the aforesaid James Kelso and Mary, his wife also.

At which said next Court to wit, the second Tuesday of October being the thirteenth day of the same month Anno Domini seventeen hundred and ninety five come again here into our General Court as well the aforesaid Charles Walker by his Attorney aforesaid. And the aforesaid Charles Walker by his Attorney aforesaid as before defends the force and injury, when and soforth and prays over of the said writing obligatory and it is read to him as follows viz.

Know all men by these presents that Charles Walker of Baltimore County am held and firmly bound to Mary Walker in the full and just sum of Seventeen hundred and thirty six pounds Current money, to be paid unto the said Mary Walker her certain Atty, Executors Administrators or Assigns, To the which payment to be well and truly, made and done I bind myself, heirs Executors and Administrators firmly by these presents sealed with my seal and dated this first day of September in the year of our Lord one thousand seven hundred and ninety one. And also prays over of the condition of the said writing obligatory, and it is read to him in these words to wit.

The Condition of the above obligation is such that if the above bound Charles Walker do and shall well and truly, pay or cause to be paid unto the said Mary Walker her certain Atty, Executors Administrators or Assigns the full

full and just sum of Eight hundred and sixty eight pounds Current money, on or before the day of with legal interest thereon then this obligation to be void, else to remain in full force and virtue in Law.

Which being read and heard the said Charles Whalker says that the said James Kelso and Mary his wife ought not to have or maintain their said Action thereupon against him because he says that after the day of the date of the writing obligatory aforesaid, and before the issuing out of the original writ of Capias ad respondendum in this Action, to wit, on the first day of May, in the year of our Lord one thousand seven hundred and ninety four he the said Charles Walker paid to the said James and Mary the said Eight hundred and sixty eight pounds in the Condition aforesaid mentioned and all the Interest thereon then due according to the form and effect of the Condition aforesaid to wit at Baltimore County, aforesaid and this he is ready to verify, wherefore he prays Judgment if the said James and Mary ought to have or maintain their action aforesaid thereof against him and soforth.

And the said James Kelso and Mary his wife say that they, by anything by the aforesaid Charles Walker above in pleading, alledged from having or maintaining, their Action aforesaid against him ought not to be precluded because they say, that after the day of the date of the writing obligatory aforesaid, and before the issuing out of the original writ of Capias ad respondendum in this Action, to wit, on the first day of May in the year our Lord one thousand seven hundred and ninety four the aforesaid Charles Walker did not pay to them the said James Kelso and Mary his wife the said sum of Eight hundred and sixty eight pounds in the Condition aforesaid mentioned and all the Interest thereon then due, in such manner and form as the aforesaid Charles Walker above by pleading hath alledged and of this they pray may be enquired of by the country and the aforesaid Charles Walker in like manner and soforth, Therefore let a Jury thereupon appear before the Judges of our General Court here, on the second Tuesday of May next by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c.

And now here at this day to wit, the said second Tuesday of May being the tenth day of the same month Anno Domini seventeen hundred and ninety six come again here into our General Court as well the aforesaid James Kelso and Mary his wife by their Attorney, aforesaid, as the aforesaid Charles Walker by his attorney, aforesaid. relinquishing the averm

Nevertheless the aforesaid Charles Walker by his attorney, aforesaid relinquishing the averment aforesaid above by him pretended says that he cannot