And the said Michael with the leave of the Court here first had and obtained and by force of the Statute in that Case made and provided for further plea saith that the bond in the declaration mentioned to be given by John Rudesil to Jacob Gardenhire and Conditioned for the payment of one hundred and twenty five pounds Current money was not assigned to the said Jacob Miller by the said Jacob Gardenhire and of this he puts himself upon the Country &c.

And the said Michael with the leave of the Court here &c. for further plea saith that the said Jacob his action aforesaid against him to have or maintain ought not because he says that he did institute a suit upon the bond in the declaration mentioned against the said John Rudesell in the County Court of Frederick on the day of November in the year one thousand seven hundred and Eighty five to wit, at the County of Frederick aforesaid without that That he the said Michael did refuse and neglect for a long time to wit, for the space of one whole year at the County of Frederick aforesaid to urge sue or compel the said John Rudesell to the payment of the said bond in manner and form as the said Jacob Miller hath above in declaring alledged and this he the said Michael is ready to verify wherefore he prays Judgment &c.

And the said Michael with the leave of the Court here and by force of the Statute for further plea says that the said Jacob Miller his action aforesaid against him to have or maintain ought not because he says that he the said ~~Miller~~ Michael did upon the day of November in the year one thousand seven hundred and Eighty five at the County of Frederick aforesaid institute a suit upon the said bond in the declaration mentioned against the said John Rudesell in the County Court of Frederick without that That the said John Rudesell by the refusal neglect and indulgence of him, the said Michael broke become insolvent and absconded in manner and form as the said John Miller hath above by declaring alledged and this he the said Michael is ready to verify wherefore he prays Judgment &c.

And the said Michael with the leave of the Court here first had and by force of the Statute says that the said Jacob Miller his action aforesaid against him to have or maintain ought not because he says that he the said Michael did institute a suit upon the bond aforesaid against the said John Rudesell in the County Court of Frederick upon the day of November in the year one thousand seven hundred and Eighty five at the County of Frederick and that it was at the particular

particular instance request and direction of him the said Jacob Miller to him the said Michael made and given that he the said Michael omitted forbore and postponed suing the said John Rudesell before the said day of November in the year last aforesaid to wit, at the County of Frederick aforesaid and this he the said Michael is ready to ~~wit~~ verify wherefore he prays Judgment &c.

And the said Michael by leave of the Court here first had and obtained and by force of the statute in that Case made and provided for further plea saith that the said Jacob Miller his action aforesaid against him to have or maintain ought not because he says that he the said Michael did not refuse and neglect to urge and sue the said John Rudesell upon the said bond in the declaration mentioned at any time within three years next before the day of suing forth the original writ of him the said Jacob Miller in this Cause sued forth in manner and form as the said Jacob hath above declared against him and this is ready to verify wherefore he prays Judgment if the said &c. and the said Michael with leave of the Court here first had and obtained and by force of the Statute in that Case made and provided for further plea saith that the said Jacob Miller his action aforesaid against him to have or maintain ought not because he says that the said John Rudesell in the said declaration mentioned did not break, become insolvent and abscond at any time within three years next before the day of suing forth the original writ of him the said Jacob Miller in this case sued out in manner and form as the said Jacob Miller hath above Complained and this he the said Michael is ready to verify wherefore he prays Judgment if the said Jacob his action aforesaid ought to maintain &c.

And the said Michael with the leave of the Court here first had and obtained and by force of the Statute in that Case made and provided for further plea saith that the said Jacob Miller his action aforesaid against him to have and maintain ought not because he saith that he the said Michael did not refuse and neglect to urge and sue the said John Rudesell upon the said bond in the deklearation mentioned and that the said John Rudesell by the refusal neglect and indulgence of him the said Michael did not break become insolvent and abscond at any time within three years next before the day of suing forth the original writ of him the said Jacob Miller in this Case sued forth in manner and form as the said Jacob Miller hath above complained and this he the said Michael is ready to verify wherefore he prays judgment if the said Jacob Miller his action aforesaid against him to have &c.

And