And the said Samuel Duvall by Arthur Shaff and John Johnson his attornies appears in Court here; and Thereupon on motion of the said Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid it is ruled by the Court here that the said Samuel Duvall answer to the Scire facias aforesaid of the said Rebecca Dulany Executrix as aforesaid in the plea aforesaid or Judgment by the Court here will be rendered against him in default hereof: And the said Samuel Duvall by his Attornies aforesaid defends the force and injury when and so forth, and prays leave of the Court here to imparle untill the second Tuesday of October next and then to answer to the Scire facias aforesaid of the said Rebecca Dulany Executrix as aforesaid in the plea aforesaid; And to him it is granted the same day is given to the said Rebecca Dulany Executrix as aforesaid also.

At which said second Tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, to which said day the said Samuel Duvall had leave to imparle and then to answer, come again into the General Court here as well the said Rebecca Dulany Executrix as aforesaid by her attorney aforesaid, as the said Samuel Duvall by his Attorney aforesaid: And the said Samuel Duvall by his Attornies aforesaid as before defends the force and injury when and so forth and says that the said Rebecca Dulany Executrix as aforesaid ought not to have her Execution against him for the said sum of two thousand one hundred and sixty six pounds thirteen shillings and four pence Current money and the said quantity of nine hundred and seventy four pounds and one fifth of a pound of Tobacco in the writ of Scire facias aforesaid mentioned by vertue of the Judgment aforesaid, because he says that there is no such record of recovery against him the said Samuel Duvall of the Debt Damages and Costs aforesaid in the writ of Scire facias aforesaid mentioned as the said Rebecca Dulany Executrix as aforesaid hath alleged: And this he is ready to verify. wherefore he prays Judgment if the said Rebecca Dulany Executrix as aforesaid ought to have her execution aforesaid for the said sum of two thousand one hundred and sixty six pounds thirteen shillings and four pence Current money and quantity of nine hundred and seventy four and one fifth pounds of Tobacco by virtue of the Judgment aforesaid and so forth. And the said Samuel Duvall with the leave of the Court for this purpose first had and obtained according to the form of the Statute in such case made and provided further says that the

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said Rebecca Dulany Executrix as aforesaid ought not to have her Execution against him for the said sum of two Thousand one hundred and Sixty six pounds thirteen shillings and four pence Current money and quantity of nine hundred and Seventy four and one fifth pound of Tobacco in the writ of Scire facias aforesaid mentioned because he says that after the recovery of the Judgment aforesaid in the writ of Scire facias aforesaid mentioned and before the issuing of the said writ of Scire facias to wit on the eleventh day of March in the year of our Lord one thousand seven hundred and ninety eight, he the said Samuel Duvall paid to the said Rebecca Dulany Executrix as aforesaid the said sum of two Thousand one hundred and Sixty six pounds thirteen shillings and four pence current money and quantity of nine hundred and Seventy four and one fifth pound of Tobacco in satisfaction and discharge of the Judgment aforesaid to wit, at Frederick County aforesaid which said sum of Current money and Tobacco the said Rebecca Dulany Executrix as aforesaid then and there received and accepted in full Satisfaction and discharge of the Judgment aforesaid and this he is ready to verify wherefore he prays Judgment if the said Rebecca Dulany Executrix as aforesaid ought to have her Execution against him for the Debt Damages and Costs aforesaid and so forth.

And the said Rebecca Dulany Executrix as aforesaid saith that she by any thing by the said Samuel Duvall in his first plea alleged from having her Execution against the said Samuel Duvall for the Debt, Damages Costs and Charges aforesaid to be precluded ought not, because she saith that there is such a record of the payment aforesaid and recovery of the Debt Damages Costs and Charges as she by the writ of Scire facias aforesaid above doth suppose as appears of record in the aforesaid Term in the General Court at Annapolis and prays that the records of that Term may be inspected by the Court and so forth.

And the said Rebecca Dulany Executrix as aforesaid says that she by any thing by the said Samuel Duvall in his second plea above by pleading alleged from having her Execution against him the said Samuel Duvall of her Debt Damages Costs and charges aforesaid by Occasion of the Judgment aforesaid to be precluded ought not, because she says that after the recovery of the Judgment aforesaid in the writ of Scire facias aforesaid above mentioned and before the issuing of the writ of Scire facias aforesaid above mentioned to wit on the eleventh day of March in the year of our Lord one thousand seven hundred and ninety eight at Frederick County aforesaid the said Samuel Duvall did not pay to her the said Rebecca Dulany Executrix as aforesaid the said

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