aforesaid, as before defends the force and injury when andsoforth, andsaith that the said James Buchanan and Charles Bedford young their action aforesaid against him the said Patrick Murdock to have or maintain ought not, because he says, that the said Peter D'Evecmon in the Condition of the writing obligatory aforesaid mentioned, from the time of making the said writing obligatory, hath well and truly observed, performed fulfilled and kept, all and singular the matters and things in the Condition of the said writing obligatory mentioned and contained, which the said Peter D'Evecmon according to the Condition aforesaid, ought to have observed, performed, fulfilled and kept, to wit, at Allegany County aforesaid, and this he the said Patrick Murdock is ready to verify; Wherefore he prays Judgment if the said James Buchanan and Charles Bedford Young their action aforesaid thereof against him to have or maintain ought, andsoforth. — Thereupon on motion of the said Patrick Murdock by his attorney aforesaid, it is ruled by the Court here, that the said James Buchanan and Charles Bedford Young reply to the answer of the said Patrick Murdock in the plea aforesaid, a Judgment by the Court here will be rendered against them in default thereof: And the said James Buchanan and Charles Bedford Young by their attorney aforesaid, pray leave of the Court here to imparle until the second tuesday of October next, to reply to the Answer of the said Patrick Murdock in the plea aforesaid, and to them it is granted; the same day is given to the said Patrick Murdock, then, andsoforth. —

At which said second tuesday of October, being the thirteenth day of the said Month in the year of our Lord One thousand eight hundred and one, to which said day the said James Buchanan and Charles Bedford Young had leave to imparle to reply to the answer of the said Patrick Murdock in the plea aforesaid, come again into the General Court here as well the said James Buchanan and Charles Bedford Young by Walter Dorsey their attorney, as the said Patrick Murdock by his attorney aforesaid: And the said Buchanan and young by their said attorney say that they by any thing in the said plea of the said Patrick above alleged, ought not to be precluded from having and maintaining their action aforesaid thereof against him the said Patrick, because, protesting that the said Peter D'Evecmon in the Condition of the said writing obligatory mentioned, from the time of making the said writing obligatory, hath not well and truly observed, performed, fulfilled and kept, all andsingular the matters and things in the said Condition mentioned and contained which he according to the Condition thereof, ought to have observed performed, fulfilled and kept; that is to say, at Allegany County aforesaid, as the said Patrick in the plea aforesaid hath alleged; for plea nevertheless the said Buchanan and young by replying saith that after the making the writing obligatory aforesaid, and before the

impetration of the writ original of them the said Buchanan and young in this cause impetrated, it was, on the Judgment of the General Court, and writ of Error aforesaid, in the said writing obligatory mentioned, in such manner proceeded between the said Peter and the said Buchanan & Young in the Court of Appeals, that afterwards, at a Court of Appeals, begun and held at the City of Annapolis on the second tuesday of November in the year of our Lord One thousand seven hundred and ninety nine, that the Judgment aforesaid of the said General Court was in all things affirmed and ratified, and it was then and there considered and adjudged by the said Court of Appeals, that the said Buchanan & young recover against the said Peter the quantity of Twelve hundred & seventy two pounds of tobacco for their Damages, costs and charges in that behalf laid out and expended by pretence of prosecuting the said writ of Error, as by the Record thereof, in the said Court of Appeals remaining, more fully appears: and the said Buchanan & young aver that the said Peter did not prosecute the said writ of Error with effect, and that he hath not paid or satisfied to the said Buchanan & Young the said Judgment obtained by the said Buchanan & young in the said General Court, or the aforesaid quantity of tobacco, adjudged unto the said Buchanan and young by the said Court of Appeals upon the affirmance of the said Judgment, or either of them, or any part thereof, and this the said Buchanan & young are ready to verify; wherefore they pray Judgment and their Debt aforesaid, together with their Damages, sustained by occasion of the detention thereof, to them to be adjudged, andsoforth. — Thereupon, on motion of the said James Buchanan and Charles Bedford Young by their attorney aforesaid, it is ruled by the Court here that the said Patrick Murdock rejoin to the replication of the said James Buchanan and Charles Bedford Young in the plea aforesaid, or Judgment by the Court here will be rendered against him in default thereof; And the said Patrick Murdock by his Attorney aforesaid, as before defends the force and injury when andsoforth, and prays leave of the Court here further to imparle until the second tuesday of May next, and then to rejoin to the replication of the said James Buchanan and Charles Bedford Young in the plea aforesaid, and to him it is granted; the same day is given to the said James Buchanan and Charles Bedford Young also. —

And now at this day to wit, the said second tuesday of May being the Eleventh day of the said month in the year of our Lord One thousand eight hundred and two, to which said day the said Patrick Murdock had leave further to imparle and then to rejoin to the replication of the said James Buchanan and Charles Bedford Young in the plea aforesaid, come again into the General Court here, as well the said James Buchanan and Charles Bedford Young by their attorney aforesaid, as the said