

Broke and to perform the Same to the S^d Daniel hath refused and Still refuses to the Damage of the Said Daniel Two hundred and fifty Pounds Sterling and thereof be brings the Suit etc. Jn^o Doe and R^d Roe

And the af^d Pryor Smallwood by Daniel Dulany Comes and Defends the force and Injury when etc. and prays Leave to Imparle hereunto Untill Next Court and he hath it and the Same Day is given to the plaintiff also. At Which Said Next Court To Witt the Nineteenth Day of Oct^r Anno Dom 1725 Come again the Said parties Plft and Def^t by their Attorneys af^d and the Said Defendant by his Said Attorney prays further Leave to Imparle hereunto Untill Next Court and he hath it and the Same Day is given to the Plft^t also. At Which Said Next to Witt the 17th Day of May Anno Dom Seventeen hundred and Twenty Six Comes again as well the Said Daniel Bryon by his Attorney as the Said Pryor Smallwood by his Attorney af^d and the Said Pryor by his Said Attorney as before Defends the force and Injury when etc. and Saith that the Said Daniel Bryon his Action af^d Ag^t him to have or mantain Ought not because Protesting that the Said Pryor hath well and truly full-filled performed and kept all and Singular the Articles Clauses and Covenants Contained in the S^d Deed on his Part to be kept for plea the Said Pryor Saith that as to his the Said Pryor his Standing Seized of the Said Land Called S^t Bridgetts the Said Pryor Saith that at the Time of Sealing and Delivery of the Said Deed he the Said Pryor Stood and was Seized of the Said Land Called S^t Bridgetts with its Appurtenances in his Demesne as of fee Simple and of this he puts himself upon the Country and as to the Power of the S^d Pryor to Sell and Convey the Land in the Said mentioned Called S^t Bridgetts he the Said Pryor Saith that at the Time of Executing the S^d Deed he had full and absolute power to Sell and Convey the Same According to the force and Effect of the Said Deed and of this he puts himself upon the Country and the S^d Pryor as to the Tryall and Verdict in Said Declaration mentioned Saith that there is not any Such Record of any Such Tryall or Verdict as the Said Daniel Bryon by his Declaration af^d hath Supposed and this he is ready to Verifie and Therefore prays Judgm^t if the S^d Daniel his Action af^d Ag^t him to have or Mantain Ought etc. And the S^d Bryon Saith that as to his the Said Pryor his Standing Seized of the S^d Land in his Demesne of a fee Simple the Said Pryor puts himself on the Country and the S^d Bryon Likewise etc. And as to the Power of the Said Bryon to Sell and assure the S^d Lands in the S^d Deed of Indenture mentioned the Said Pryor puts himself upon the Said Bryon Likewise etc. and as to the Tryall and Verdict in the S^d Declaration mentioned the Said Bryon Saith that there Such Like Record of Such Tryall and Verdict as the Daniel hath Supposed Viz^t of the Twenty first Day of Sept^r in the year One Thousand Seven hundred and Twenty four as Appears by the Said Record now remaining in this Court and this he the Said Bryon is ready to Verifie by the af^d Record etc.

[736] Whereupon for trying the issues af^d Command is given to the Sherr