and so forth and saith that the said Nicholas and Beal Owings their said action against her to have or maintain ought not, because she saith That she hath fully administered all the Goods and Chattels which were the said Thomas Matthews, at the time of his death in her hands to be administered, nor had she any at the time of issuing the Original writ of the said Nicholas and Beal, nor at any time since and this the said Ann is ready to verify; whereof she prays Judgment, if the said Nicholas and Beal their action against her to have or maintain ought and so forth.

And the aforesaid Nicholas and Bale Owings by their attornies aforesaid saith he by any thing by the said Ann Executrix aforesaid above in pleading alledged from having or maintaining his action aforesaid against her ought not to be precluded, because he saith that the said Ann since the decease of the Thomas Matthews have not na hathe either of them rendered or paid to them the said Nicholas and Bale the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the said Ann above by pleading hath alledged and this they pray may be enquired of by the country; and the said Ann in like manner &c. And the said Nicholas and Bale further saith, that the said Ann Executrix aforesaid at the time of the impetration of the writ aforesaid in this cause, and since, had in her hands unadministered, goods and Chattels, rights and Credits, which were of the said Thomas Matthews at the time of his death, sufficient to have paid and satisfied the said Nicholas and Bale their debt and damages aforesaid, by occasion of the nonperformance of the premises and assumptions aforesaid, and this he prays may be enquired of by the Country, and the said Ann Executrix aforesaid in like manner and so forth.

Therefore let a Jury thereon appear before the Court here on the second Tuesday of May next, by whom and so forth, and who neither and so forth. to recognize and so forth, because as well and so forth, the same day is given to the said parties then and there and so forth.

And now at this day, to wit, the said second Tuesday of May being the thirteenth day of the same Month in the Year of our Lord one thousand seven hundred and ninety four comes again into the General Court here as well the aforesaid Nicholas and Bale Owings by their attornies aforesaid, as the aforesaid Ann Matthews Executrix aforesaid by her attornies aforesaid, And the said Ann Executrix aforesaid by her Attornies aforesaid relinquishing the averments aforesaid above by her pretended, says that she cannot deny the action aforesaid, of the aforesaid Nicholas and Bale so as aforesaid against her brought, nor but that she detain from the aforesaid Nicholas and Bale the aforesaid sum of Two hundred Pounds Current Money in manner and form aforesaid so as the aforesaid Nicholas and Bale above against him hath declared. no but that the said Nicholas and Bale have sustained damages to five hundred pounds current

Therefore it is considered by the Court here that the aforesaid Nicholas and Bale recover against the said Ann Executrix aforesaid as well the sum of Two hundred Pounds Current Money his debt aforesaid in form aforesaid confessed and the sum of five hundred pounds current money his damages aforesaid in form aforesaid acknowledged by Court here to be sustained by reason of the detention of the said debt yet by quantity of damages he hath unto the aforesaid Nicholas and Bale on account of the same by the mouth one pounds of Tobacco by the assent adjudged for their costs and charges by them about their suit in this behalf laid out and expended, to be levied of the Goods and Chattels which were of the said Thomas Matthews at the time of his death in the hands of the said Ann Matthews Executrix remaining to be administered if so much thereof in her hands she hath; and if she hath not then the Debt and Charges aforesaid to be levied of the proper

proper goods and Chattels of the said Ann Matthews, and the said Ann Matthews Executrix aforesaid in mercy and so forth.

Memorandum, Judgment rendered in this cause on the twenty seventh day of May in the Year of our Lord Seventeen hundred and ninety four for the Sum in the Bill and five hundred pounds current money damages and costs of Suit and the Plaintiffs agree to release the Damages upon the payment of Principal, Interest and Costs, and agree to stay Execution until the first day of January next, payments if any to be allowed. to wit, Interest on £100 payment being made from 1. January 1794 & Interest on £100 and £200 thereof from 1. June 1794

Test, John Gwinn, Clk.

E.N. Benjamin Oden use of Wallace & Muir vs Cephas Shekell. M.C.

Be it Remembered that heretofore to wit on the eighth day of March in the Year of our Lord one thousand seven hundred and ninety three the said Benjamin Oden by Edward Nicholls his attorney sued out of the General Court here the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Ann arundel County in the words and figures following to wit; —— The State of Maryland. Ss. To the Sheriff of Ann Arundel County, Greeting. We command you that you take Cephas Shekell late of Ann Arundel County Planter if he shall be found in your bailiwick and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto Benjamin Oden of a plea that he render to him the Just and full sum of one hundred and forty two pounds fourteen shillings Current Money which to him he owes and unjustly detains and so forth. Hereof fail not at your peril, and have you then and there this writ. Witness the honourable Samuel Chase Esquire chief Judge of our said Court the 19th day of November Anno Domini 1792. Issued the 8th day of March 1793. E.N. John Gwinn, Clk.

And the aforesaid Benjamin Oden by his attorney aforesaid on the day of the issuing of the aforegoing writ, filed in Court here the following Declaration and Bill, a Copy whereof was made and sent with the said writ to the Sheriff of the County aforesaid, to wit.

Western Shore of Maryland, Anne Arundel County, to wit, Cephas Shekell late of Anne Arundel County planter was summoned to answer unto Benjamin Oden of a plea that he render to him the just and full sum of one hundred and forty two pounds fourteen shillings Current Money, which to him he owes and unjustly detains and so forth. And Whereupon the said Benjamin Oden by Edward Nicholls his attorney complains, that whereas the said Cephas Shekell on the twelfth day of May in the year of our Lord One thousand seven hundred and ninety one at Anne Arundel County aforesaid by his Bill obligatory sealed with the Seal of the aforesaid Cephas Shekell and now unto Court brought the date whereof is the same day and year acknowledged himself to be indebted to the said Benjamin Oden in the just and full sum of one hundred and forty two pounds fourteen shillings Current Money, to be paid to the said Benjamin Oden, with legal Interest thereon from the tenth day of December last, when thereafter

(required: