

William Fowler
at the suit of
Joseph Clarke assignee
of Charles Ridgely

And the aforesaid William by Gabriel Duvall his attorney comes and says that the said Joseph ought not to have his execution aforesaid for the debt and damages aforesaid of the Lands and tenements aforesaid against him the said Thomas in the return of the writ of Scire facias aforesaid mentioned, whereof he is returned tenant, because he says that he the said James was not, at the time of the impetration of the said writ of Scire facias nor at any time since hath been tenant but for a term of + Years only, of the lands and tenements ^{aforesaid} in the return of the said writ of Scire facias mentioned whereof he is returned tenant, nor of any other lands and tenements whereof the said Thomas Rutland was at the time of the rendition of the said judgment or at any time since seized in his demesne as of fee as by the ^{writ} aforesaid above is alledged; and this he is ready to verify. Wherefore he prays judgment if the aforesaid Joseph his execution of the said debt and damages against him of the lands and tenements aforesaid whereof and soforth ~~he~~ ^{he} ~~ought~~ to have aught and soforth -

And the said William by leave of the Court here and according to the form of the Statute in such case made and provided comes and further saith that the said Joseph ought not to have his execution of the debt and damages aforesaid against him the said William of the lands and tenements aforesaid in the return of the writ aforesaid mentioned, whereof and soforth, because he saith there is no such record of the confession of judgment aforesaid by the said Thomas Rutland, John Crigh Machulins and Joseph Clarke for the debt and damages aforesaid in the said writ of Scire facias as above mentioned as the said Joseph by his said writ hath alledged: And this he is ready to verify. Wherefore he prays judgment if the aforesaid Joseph (his execution)