and Eighty five which the aforesaid Thomas Gantt Junior to him the said Thomas Bowles ought to have paid on the aforesaid day according to the form and effect of the said Condition as the said Thomas Gantt Junior above hath alledged and this he prays may be enquired of by the Country and the aforesaid Thomas Gantt Junior in like manner and so forth. Whereupon this cause standing ready for trial for special reasons to the Court here shewn and by consent of parties the same is continued until next Court. At which said next Court to wit the 8th day of May Anno Domini 1787 come again the said parties plaintiff and defendant by their attornies aforesaid and this cause being ready for trial for special reasons to the Court here shewn and by consent of parties the same is continued until next Court. At which said next Court to wit the 4th day of October Anno Domini 1787. comes into Court here the aforesaid Thomas Gantt Junior by his said Attorney and suggests to the Court here that the aforesaid Thomas Bowles died since the continuance of this cause from last Court wherefore he prays Judgment of non prosequitur if the representative of the said Thomas Bowles does not appear and prosecute the said suit. Whereupon a certain Eleanor Bowles comes into court here by Thomas Jenings her Attorney and prays that she may be admitted to prosecute the said suit as Executrix of the said Thomas Bowles deceased according to the form and effect of an Act of Assembly in such case lately made and provided. And it being made known to the Court here that the said Eleanor Bowles is Executrix of the said Thomas Bowles and the proper person to prosecute the said suit, it is accordingly granted. The former declaration filed in this suit being withdrawn by leave of the Court, the aforesaid Eleanor Executrix as afs. declares against the said Thomas Gantt Junior in the plea aforesaid as follows, to wit; And Whereupon the said Eleanor by Thomas Jenings her attorney saith that whereas the aforesaid Thomas Gantt Junior on the twenty first day of February in the year of our Lord one thousand seven hundred and Eighty five at Prince Georges County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the said Thomas Bowles in his life time in the aforesaid sum of four thousand six hundred pounds current money to be paid unto the said Thomas Bowles when afterwards he should be thereunto required. Nevertheless the aforesaid Thomas Gantt Junior the aforesaid sum of four thousand six hundred pounds nor any part thereof to him the said Thomas Bowles in his life time or to the said Eleanor after the death of him the said Thomas Bowles (although often thereunto required) hath not rendered or paid but the same or any part thereof to him the said Thomas Bowles in his life time or to the said Eleanor after the death of him the said Thomas Bowles to render or pay hath refused and the same or any part thereof to her the said Eleanor to render or pay still doth refuse and unjustly detain wherefore she saith she is the worse and hath damage to the value of four thousand pounds current money aforesaid. and therefore she brings suit and so forth and the said Eleanor brings here into Court as well the writing obligatory aforesaid sealed with the seal of the aforesaid Thomas Gantt Junior the date whereof is the day and year aforesaid which the debt aforesaid in form aforesaid witnesseth as the Letters testamentary to the aforesaid Eleanor whereby it sufficiently appears to the Court here that the aforesaid Eleanor is Executrix of the testament aforesaid and thereof hath Administration &c. Thos. Jenings for pltff. pledges &c. { Jno. Doe Richd. Roe

And the said Thomas Gantt Junior by his said Attorney relinquishing the averment aforesaid above by him pretended saith that he cannot deny the action aforesaid of the aforesaid Eleanor Bowles Executrix as aforesaid so as aforesaid against him brought nor but that the writing obligatory aforesaid is the deed of him the said Thomas Gantt Junior nor but that he owed to the aforesaid Thomas Bowles the aforesaid sum of four thousand six hundred pounds current money of Maryland in manner and form so as the aforesaid Eleanor Bowles Executrix as aforesaid in manner and form aforesaid above against him hath declared — Therefore it is considered by the Judges here that the said Eleanor Bowles Executrix as aforesaid recover against the said Thomas Gantt Junior as well the sum of four thousand six hundred pounds current money of Maryland the debt aforesaid in form aforesaid confessed as also the sum of

pounds of Tobacco by the Court here unto the said Eleanor Bowles Executrix as aforesaid on her assent adjudged as well for her damages sustained by means of the detention of that debt as for her costs and charges by her about her suit in this behalf laid out and expended and the said defendant in mercy &c. — Memorandum, the plaintiff agrees to release the penalty on payment of £1014 5s 5 current money with Interest from the 4th of April 1784, and costs of suit; he also agrees to stay Execution till the 1st of January —

Afterwards, to wit on the ninth day of January in the year seventeen hundred and Eighty eight the aforesaid Thomas Gantt Junior produced the States writ of Error commanding the Judgment aforesaid to be transmitted to the high Court of Appeals and the record thereof is hereby transmitted accordingly — Test

Thos. B. Hodgkin Clk.

In Testimony that the aforegoing is a true Copy from the record of proceedings of the General Court for the Western Shore of Maryland I have hereto set my hand and affixed the seal of office this 10th day of January Anno Domini 1788 —

Thos. B. Hodgkin Clk.