that since the death of the said Testator the said Executrix and Devisee
named of Henry and Tobacco in and about the Estate of the Testator and discharge
of the said Testator did and do further allege the same of — pounds
of Tobacco to be in Equitable Debts Equitably for the same of Two hundred ninety
four pounds of Tobacco and to have Contribution for Contingency for the sum
of One hundred and forty pounds of Tobacco and to the Complaining for pay the
same of pounds of Tobacco and there is also a Judgment Recovered
in Talbot County Court against the Defendt in the said County since the death
of the aforesaid Testator & aforesaid William Kimball the same death amounting
for two thousand pounds of Tobacco and — pounds of Tobacco debt of the said and there
is also since the death of the said Testator and before the plaintiff obtained and
Original writ an other Judgment obtained against the Defendt in the said County
in Cecil County Court by Jacob Stamper upon account for the same of one
hundred and twenty pounds of Tobacco debt and the same of pounds of Tobacco
debt of Costs and there is also before the plaintiff obtained the said writ Divers
Accounts Generall against him the Defendt in Talbot County Court upon Bonds given
from the said Testator in his life time (viz) Robert Gunnery Knight one hundred
thirty five pounds five shillings and four pence ye one other for forty
thousand pounds of Tobacco by the said Robert Gunnery one other Accounts
in the said Court by Robert Welch against the said Defendt for the same of Four
hundred and twenty pounds of Tobacco and there is also Due to the said Defendt as
from the said Testator the said Henry Gun of Cecil and there is also a Judgment
Recovered against the Defendt in the said County in Dorchester County since
the death of the aforesaid Testator by a Plaintiff William Kimball upon Bond for
the same of Twenty five thousand five hundred forty nine pounds of Tobacco debt
and the same of three hundred forty one pounds of Tobacco Costs of Suit and there
is also one other Judgment obtained against the Defendt in the said County since the death
of the said Testator by a Plaintiff Henry Hill upon account for the same of three
of Tobacco Costs of Suit and there is also one other Judgment obtained against the
Defendt in the said County since the death of the said Testator by a Plaintiff
on Bill under the Testators hand and seale for the same of Eleven hundred and
eight pounds of Tobacco debt and the same of three hundred forty three
pounds of Tobacco Costs of Suit and there is also Due to the Defendt from the said
Testator in his life time of one and the same of Fifty pounds and there is also
one other Judgment obtained against the Defendt since the death of the said Testator
in the said County by a Plaintiff James Carter an action upon the Case for Contract
of Covenants to have Due the same of Five hundred and Fifteen pounds
of Tobacco debt and the same of Four hundred thirty one pounds of Tobacco Costs of
Suit and there is also one other Judgment obtained against the Defendt in the said
County in the said County Court since the death of the said Testator by a Plaintiff Daniel
Markell Esq. of the Markell Dead an action of the Case for the same of
forty five pounds Current Money of the province Debt and three hundred ninety
five pounds of Tobacco Costs of Suit besides Fees and Debts in former abatement
Recited the amount to the same of — the forty five pounds Current Money
of the province and the quantity of — pounds of Tobacco and the said Defendt
further saith that at the time of the taking out of the Originall writ of
the action aforesaid against the said Defendt he did not nor at any time after
take out Letters of Administration of the goods or Chattels which were of the said Testator at the time
of his death in the hands to be administered which the said Defendt the Debt of
of the Testator or any parcel thereof can be shewn should the goods and Chattels
of the Testator the said pounds pounds which to the aforesaid Judgments and other
Debts as before mentioned amounting to the sum of — the forty five pounds
Current Money of the province and — pounds of Tobacco and at the time
of taking out of the Originall writ aforesaid were Outstanding and Owing and

(the)

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the said the Defendt is ready to Compute and therefore prays Judgment to Dilter the Plaintiff
his Action against him the Defendt in the said Plaint according to the Law to the Court and Plaintiff
with the that the said Defendt with Consent that the said Particular Judgments and other
Debts in form aforesaid Pleaded since the time of the said Testator Remained and Except the Debt aforesaid Remained to be Due by the said Defendt
in form aforesaid Full Remains in full force strength and effect not Revoked Annulled or
made void or Discharged and that at the aforesaid Overall time and taking of aforesaid
to one at the time of the said Testators Death time and the Debts not Paid or Satisfied or any
way Discharged &c (Lewis &c)

And the said John Kirk in the proper person for Replication to nothing (for time &c)
the Overall Government Contained in the plea of the said Plaintiff Lewis to and Order
of the plaintiff action against him in the Generally as the said Defendt (against the Plaintiff of his Demurrer the Testator and &c (Kent in proper person)

Therefore Ordered by the Court that the said John Kirk Recover against the said
Plaintiff of the said Defendt in Demurrer as well the same of Two thousand six hundred pounds
of Tobacco the Debt aforesaid as also the same of three hundred Forty five pounds of Tobacco
Costs of Suit by the said John Kirk in the behalf said out and Expended &c

(Seal) Test Hn. Pulsstone Clk

Maryland ss. Left a Court held for the Lower Precinct and County of the Peace for the County of Dorchester the Fourth Day of June Anno 1708

Present Thomas Pinnell, Esq. — Thomas Lendeman, Esq. — Roger Woolford, Esq. — Jno. Taylor, Gent. — Henry Pinnell, Esq. — Richard Pinnell, Esq. — Richard Crosn, Esq. — Justices

Lord Lord — James by the Grace of God of England Scotland France and Ireland Queen Defd.
of the Faith &c To the Sheriff of Dorchester County Greeting We Command that you
attach Goods of the goods Chattels and Rights of Wm Dennis late of the County aforesaid
Merchant wherever found within your Bailiwick to the value of the
sum of Two thousand six hundred pounds of Tobacco a Plaine Debt
Recovered by John Kirk against the Estate of the said William Dennis late in Talbot
Fifth Day of March aforesaid the sum of three hundred thirty five pounds of Tobacco Costs of
Suit and to bring you have the same at and or any parcel thereof the same in your Bailiwick
Lastly that you have the same before our Justices at our next Court to be held the Fifth
Monday of June next to Sue for and the said John Kirk and thereby you and the same
aforesaid Day Record you make known unto the persons or persons in whose hands you shall
attach the same that the said Defendt they be and appear before our said Justices at the Day and
place aforesaid to shew if any they have or know anything for themselves why the same
should not be Condemned according to the Custom of Maryland and have you there the writ witness Thomas Pinnell Esq. Chief Justice of our said Court the
5th Day of March Anno Dni 1702

Hn. Pulsstone Clk

Upon this Day of September Court came the said Plaintiff into Court and
makes Oath that the within mentioned Debt is Justly Due to the said
within mentioned Defendt. Also attached of the goods Debts and Effects of the
within named William Dennis in the hands of Thomas Pinnell Esq. Tobacco
Owing to the said Defendt and to be Delivered unto Thomas Kirk the Debt and Costs
within specified and he two Honest and Lawfull men of my Bailiwick Robert Green
Gent. to the Freeholders of the said County Summoned that they before the Justices
Mentioned at this Day and place within Dorchester to shew Cause if any they have or know
any thing for themselves why the same should not be Condemned according to the Custom of Maryland
Accordingly it is Commanded Lewis Lendeman and Thos — Lewis in the hands of Barnaby
Bunkin Forty three pounds of Tobacco Lewis in the hands of Mary Willson
one hundred pounds of Tobacco Lewis in the hands of Patrick Conn one hundred and
pounds of Tobacco — the same in the Freeholders hands above Charged in the
Freeholders are attached of the goods Debts and Effects of the Defendant given under

(any)