of the said Robert Franklin unto the same Artridge as Executrix of the said Testament in due form of Law then & there was Committed and the same Artridge the burthen of the Execution of the said Testament upon herself then & there did take & divers Goods & Chattles of the same Robert at the time of his Death then & there did Administer And that afterwards to wit on the fourth Day of November in the Year of our Lord Seventeen hundred & thirty two at Ann Arundell County aforesd the said Artridge did make her Testament in Writing & of the same Testament did Constitute the said Richard Franklin John Franklin & Jacob Franklin Executors & afterwards at the said County died after the Death of whom to wit on the thirteenth Day of March in the Year of our Lord Seventeen hundred & thirty three at the County afd the same Testament as the Testament of the said Artridge before John Beale Esqr Deputy Commissary of the said County duly authorized admitted & qualified was in due form of Law proved & Administration of the Goods & Chattles of the said Artridge unto the said Richard Franklin John Franklin & Jacob Franklin in due form of Law then & there was Committed by Virtue whereof the said Richard Franklin John Franklin & Jacob Franklin as well the burthen of the Execution of the Testament of the said Robert Franklin & the Administration of the Goods & Chattles which were of the same Robert Franklin at the time of his Death as the burthen of the Execution of the Testament of the said Artridge & the Administration of her Goods & Chattles at the time of her Death then & there did take And this they are ready to verify wherefore they pray Judgment if the said William his Action afd against them in Manner & form afd to have ought &c.

And the afd William Beale Admr as afd says that he by any thing by the afd Richard Franklin John Franklin & Jacob Franklin Exors as afd in manner & form afd above by pleading alledged ought not to be precluded from having his Action afd thereof against them the said Richard John & Jacob Franklin Exors as afd because he says that the plea afd Contains not in itself sufficient Matter in the Law to preclude the afd William from having his Action afd thereof against them the said Richard John & Jacob Franklin Exors as afd to which said plea the afd William is not necessitated nor by the Law of this Land in any wise bound to answer And this he is ready to verify wherefore in Default of a sufficient plea in this behalf the same William prays Judgment & his Damages occasioned by the premisses to be adjudged to him.

And the afd Richard John & Jacob Exors as afd say that the plea afd by them the said Richard John & Jacob in manner & form afd above pleaded & the Matter in the same Contained are good & sufficient in Law to have precluded him the said William Beale from his Action afd thereof against them the said Richard John & Jacob. Which said plea & the Matter in the same Contained they the same Richard John & Jacob are ready to aver & prove as far as the Court &c And because the afd William Beale hath not answered to that plea nor the same hitherto hath any way denied the same Richard John & Jacob as before pray Judgment And that the afd William Beale may be precluded from having his Action afd against them the said Richard John & Jacob.

(Whereupon)

Whereupon all & singular the premisses being by the Court here seen & heard fully understood & mature Deliberation being thereupon had & for that it seems to the Court here that the plea afd by the afd Richard John & Jacob Franklin in manner & form afd above pleaded & the Matter in the same Contained are no ways sufficient in Law to have precluded the afd William Beale from having his Action afd thereon against the afd Richard John & Jacob Franklin.

Therefore it is considered by the Justices here this 16th Day of May Anno Dom 1738 afd that the afd William Beale Admr as afd ought to recover his Damages against the afd Richard Franklin John Franklin & Jacob Franklin Exors as afd on Occasion of the premisses But because it is unknown to the Court here what Damages the said William Beale Admr as afd hath sustained by Occasion of the premisses It is commanded the Sheriff of Ann Arundell County that by the Oath of Twelve honest & lawfull Men of his Bailywick he diligently Inquire what Damages the afd William Beale Admr as afd hath sustained as well by Occasion of the premisses afd as for his Costs & Charges by him about his Suit in this particular Expended & that the Inquisition which he shall take thereupon he send to the next Provincial Court to be held at Annapolis the third Tuesday of October next under his Seal & the Seals of those by the Oath of whom that Inquisition shall be taken together with the Writ of the Lord Propry to him thereof Directed & the same Day is given to the afd Richard Franklin John Franklin & Jacob Franklin Exors as afd there &c.

DD William Hunt } Maryland ss.
vs
Richard Gist } Richard Gist of Baltimore County Gent otherwise called Richard Gist of Baltimore County Gent was summoned to answer unto William Hunt of a plea that he render unto him the full and just Sum of One thousand Pounds Sterling Money which to him he owes and unjustly detaineth &c

And thereupon the same William Hunt by Daniel Dulany his Attorney saith that whereas the said Richard Gist on the tenth Day of February Anno Dom One thousand Seven hundred & thirty one at the County afd by his Certain Writing Obligatory granted himself to be held & firmly bound unto the afd William Hunt in the afd full & just Sum of one thousand Pounds Sterling Money To be paid to the said William when thereunto required yet the said Gist often required the said One thousand Pounds Sterling Money to the said William Hunt hath not yet paid but the same to him hitherto to pay hath gainsayed & still doth altogether gainsay Whereby the said William saith he is the Worse & hath Damage to the Value of two thousand pounds Sterling And therefore he brings this Suit &c and he brings here into Court the Writing Obligatory afd which the Debt afd in form afd testifyeth the Date whereof is the Day & Year aforesaid &c.

pl. per Jno. Doe & Rich. Roe.

And the afd Richard Gist by William Cumming his Attorney comes & defends the force & Injury when &c And prays a hearing of the Writing Obligatory afd and it is read unto him & he likewise prays a hearing of the Condition of the same Writing And it is read unto him in these words following (viz.)

(The)