comes again as well the said Daniel Dulany Esq. his Lordship's Attorney General who &c.
as the said Thomas Shillington by his attorney afs. and the said Thomas Shillington by his
said attorney prays further leave to imparle hereunto untill next Court and he hath it.
and the same day is given to Daniel Dulany Esq. his Lordship's Attorney General who &c. also.

At which said next Court to wit the 10th Day of October Anno Dom. 1748. Comes
again as well the said Daniel Dulany Esq. his Lordship's Attorney General who &c. as the
said Thomas Shillington by his attorney afs. and the said Thomas Shillington by his said Attorney
prays further leave to imparle hereunto untill next Court and he hath it and the same day
is given to the Plaintiff also said Daniel Dulany Esq. his Lordship's Attorney General who &c. also.

At which said next Court to wit the 10th Day of April Anno Dom. 1745. Comes again
as well the said Daniel Dulany Esq. his Lordship's Attorney General who &c. as the said Thos.
Shillington by his attorney afs. and the said Thomas Shillington by his said Attorney
prays further leave to imparle hereunto untill next Court and he hath it and the same Day
is given to the said Daniel Dulany Esq. his Lordship's Attorney General who &c. also.

At which said next Court to wit the 11th Day of September Anno Dom. 1745.
Comes again as well the said Daniel Dulany Esq. his Lordship's Attorney General who &c.
as the said Thomas Shillington by his attorney aforesaid and the said Thomas Shillington by his
said Attorney as before Defends the force and Injury when &c. and saith that the said Lord
Proprty his action afs. against him to have or maintain ought not because he saith
that the said Elijah Shillington did well and faithfully Observe perform fulfil and keep
all and Singular the Conditions articles matters and things which on his Part in
the Condition afs. are Contained mentioned and specified to be Observed performed fulfilled
and kept to wit, at Talbot County afs. according to the form and Effect of the same Condition
and this he is ready to Verify wherefore he prays Judgment if the said Lord Proprty his
action afs. against him to have or maintain ought &c.

And the said Attorney General saith that by any thing above alledged he ought
not to be precluded from having and maintaining the action afs. because he saith
that the said Elijah Shillington did not make or exhibit a Just and Perfect Inventory
of the goods and chattels which were of Arthur Conner in the Condition of the said Writing
mentioned appraised in money into the Office for Probat of Wills &c. at or before
the twenty seventh Day of May next ensuing the date of the said Writing nor did make
or cause to be made a Just and true account of and upon his said Administration
within Twelve months from the Day of his admittance to such Administration
according to the Conditions of the said Writing as he ought to have done and this
the said Attorney General prays may be Inquired into by the Country. And
the said Attorney General further saith that after the Granting the Letters of Adm.n
afs. to the said Elijah to wit the third day of April in the Year of our Lord Seventeen
hundred and forty Two the same Letters of Administration were revoked set aside and
made null and Void by the Judgment and Decree of Daniel Dulany Esq. then
Judge for Probat of Wills and Granting administrations to wit, at Annapolis, and that
afterwards to wit the fifth Day of April in the Year afs. Administration of all and
Singular the Goods and Chattels which were of the said Arthur Conner was granted
to the said Nicholas Goldsborough in the Indorsement upon the Writ afs. mentioned
with the Testament of the said Arthur annexed during the Absence of Margaret
Conner Executrix of the said Arthur Conner By Thos. Bullen Deputy Commissary
of Talbot County to whom the Granting that Administration did of Right appertain
as by the same Letters here in Court Produced may appear, By Virtue of which
Letters of Administration all and Singular the goods and chattels which were of
the said Arthur Conner in the hands of the said Elijah unadministred ought to be by
the said Elijah Delivered to the said Nicholas Goldsborough, and the said Attorney Gen.l

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in fact saith that divers Goods and Chattels which were of the said Conner at the time of
his Death came into the hands of the said Elijah to the value of three hundred and forty eight
Pounds eighteen Shillings and eleven pence to wit in Talbot County which still are
unadministred by the said Elijah. Nevertheless the said Elijah altho' often required the said
Goods and Chattels or any part of them to the said Nicholas hath not delivered but the
same to the said Nicholas to deliver hath refused and still doth refuse contrary to the Duty
of him the said Elijah and the true intent and meaning of the Condition of the said Writing
and this the said Attorney General is ready to Verify and therefore prays Judgment for the
Debt afs. together with the Damage Sustained by Occasion of the Detention of that Debt
to the said Lord Proprty to be adjudged with this that the said Attorney General will aver
that Nicholas Goldsborough herein before mentioned to whom Administration of the Goods
and Chattels which were of the said Arthur Conner was Committed and Nicholas Goldsborough
in the Indorsement of the same Writ mentioned is one and the same Person and
not others or divers.

And the aforesaid Thomas Shillington saith that the Plea afs. by him the said
Attorney General in manner and form afs. above in his Replication Pleaded and the matter
in the same Contained are no ways Sufficient in Law for him the said Lord Proprty to have
and maintain his action afs. against him the said Thomas Shillington, to which the said
Thos. hath no Necessity nor by the Law of the Land is obliged in any manner to answer;
and this he is ready to aver, wherefore for want of a Sufficient Replication in this Particular
the same Thomas as before prays Judgment and that the afs. Lord Proprty may be Precluded
from having his action afs. against him &c.

And the afs. Attorney General saith that the Plea afs. by him the said Att.y
General in manner and form afs. above in his Replication Pleaded and the matter in the
same Contained are Good and Sufficient in Law for him the said Lord Proprty to have and
maintain his action afs. against him the said Thomas Shillington which said Plea
and the matter in the same Contained, he the said Attorney General is ready to aver and
Prove so far as the Court here shall award &c. and because the afs. Thomas Shillington hath
not answered to that Plea, nor the same hitherto in any manner hath denied the same Lord
Proprty as before demands Judgment and his Debt afs. together with the damages on Occasion
of Detaining that Debt to be adjudged to him &c.

Whereupon all and Singular the Premisses being by the Court here Seen heard
fully understood and Mature Deliberation thereupon had, for that it seems to the Court here
that the Plea of the afs. Lord Proprty above in Replying alledged and the matter therein Contained
are not Sufficient in Law for the afs. Lord Proprty his action afs. against the said Thos.
Shillington to have and maintain.

Therefore it is Considered by the Justices here that the said Lord Proprty
take nothing by his Writ afs. but be in Mercy for his false Clamour and that the said Thom.s
Shillington go thereof without Day &c. Test. R Burdus Clk

D.D. Richard Lux — Command was given to the sheriff of Kent County that he should take
Abraham Cowardon late of Kent County Planter if he should be found in
his Bailywick and him should safe keep so that he might have his body
J.G. Abraham Cowardon — before his Lordship's Justices of the Provincial Court to be held at Annapolis
the second Tuesday of October then next to answer unto Richard Lux of a Plea of Trespass upon
the Case &c. And that thereof he the said Sheriff should not fail &c.

At which said second Tuesday of October to wit, the 12th Day of the same Month Anno
Dom. 1744. being the day of the return of the aforegoing Writ Comes the said Rich. Lux by
Daniel Dulany his attorney and the sheriff of Kent County to whom the same Writ was
directed likewise Comes and makes return thereof to the Court here thus Endorsed Viz.

(Cepi)