answer unto Rebecca Tilley Executrix of the Testament and last Will and Testament of John Prichard of Prince Georges County Merchant Deceased of a Plea that he render unto her nineteen hundred and fifty three pounds and eight pence Sterling which from him he unjustly detains &c. and that thereof he the said Sheriff should not fail &c.

And the said Rebecca Tilley Executrix as aforesaid by William Cumming her Attorney declared against the said John Thomas in the Plea aforesaid as follows Viz. Maryland ss. John Thomas late of Prince Georges County Gentleman otherwise Called John Thomas Gentleman of Prince Georges County was Summoned to answer unto Rebecca Tilley Executrix of the last Will and Testament of John Prichard of Prince Georges County Merchant Deceased of a Plea that he render unto her nineteen hundred and fifty three pounds and eight pence Sterling which from her he unjustly detains &c. And Whereupon the same Rebecca Tilley by William Cumming her Attorney says that Whereas the aforesaid John Thomas on the first day of April in the Year of Our Lord God one Thousand seven hundred and forty at Anne Arundell County by his certain Writing Obligatory acknowledged himself to be indebted to the aforesaid John Prichard in his lifetime in the aforesaid sum of Nineteen Hundred and fifty three pounds and eight pence to be paid to the said John Prichard when afterwards he should be thereunto required. Nevertheless the aforesaid John Thomas altho' often required the aforesaid sum of nineteen hundred and fifty three pounds and eight pence to the said John Prichard in his lifetime or to the aforesaid Rebecca after the Death of the said John Prichard hath not paid but the same to them to pay hath refused and the same to the said Rebecca as yet to pay hath refused and unjustly detains. Whereupon she says she is the worse and hath damage to the value of Two Thousand pounds Sterling and thereof she brings the said Writing. And she brings here into Court the writing aforesaid which the Debt aforesaid in form aforesaid Testifies whose date is the Day and Year aforesaid. Yea the letters Testamentary of the aforesaid John Prichard whereby it appears to the Court here the aforesaid Rebecca to be Executrix of the Testament of the aforesaid John Prichard and thereof to have the Administration &c. Pledges &c. John Doe and Rich. Roe

And the said John Thomas by Daniel Dulany his Attorney comes and defends the Force and Injury when &c. and prays a hearing of the Writing Obligatory aforesaid and it is read unto him and he also prays a hearing of the Condition of the same Writing and it is read unto him in these words Viz. Whereas the above bound Richard Snowden hath Obtained an Injunction in the High Court of Chancery to Stay Proceedings at Law on a Judgment rendred against him in the Provincial Court at the Suit of the above named John Prichard for the sum of nine hundred and Seventy Six pounds ten Shillings and four pence Sterling Now the Condition of the above Obligation is such that if the said Richard Snowden shall Prosecute the said Injunction with effect and Satisfy and pay the said nine hundred and Seventy Six pounds ten shillings and four pence Sterling and all Costs damages and Charges that shall accrue in the said Chancery Court or be Occasioned by Delay of Execution of the said John Judgment unless the said Court of Chancery shall decree to the Contrary and shall in all things Obey such Order and decree as the said Chancery Court shall make in the Premisses, then the above Obligation to be Void, otherwise in full force and Virtue. Which being read and heard the said John Thomas prays leave to imparle hereunto untill next Court and he hathit and the same Day is given to the Plaintiff also.

At which said next Court to wit the 18th Day of October Anno Dom. 1743. Come again the said Parties Plff. and Defend. by their Attorneys aforesaid and the said Defend. 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.

At which said next Court to wit the 10th Day of April Anno Dom. 1744. Come again the said Parties Plff. and Defend. by their Attorneys aforesaid and the said Defendant by his said Attorney prays further leave to imparle thereunto untill next Court and he hath it, and the same Day is given to the Plaintiff also.

At which said next Court to wit the 11th Day of September Anno Dom. 1744. Comes again as well the said Rebecca Tilley Executrix as aforesaid by her Attorney aforesaid as the said John Thomas by his Attorney aforesaid and the said John Thomas by his said Attorney as before defends the Force and Injury when &c. And saith that the said Rebecca her Action aforesaid against him to have or Maintain ought not because he saith that on the sixteenth Day of August in the Year of Our Lord Seventeen hundred and forty the said Richard Snowden exhibited his Bill of Complaint into the High Court of Chancery of this Province according to the Course and Established Practise of the same Court to wit at Annapolis, against the said John Prichard in his lifetime for relief against the payment of the said nine hundred and Seventy six pounds ten Shillings and four pence Sterling in the Condition of the said Writing mentioned as by the same Bill remaining in the said Court of Chancery may appear, and the said John Thomas further saith that the said John Prichard in his lifetime afterwards to wit in the Court held at Annapolis the Day of Dec. in

in the Year aforesd. Exhibited an answer to the said Bill of Complaint according to the Course and Practise of the same Court as by the same answer remaining in the said Court may appear. And the said John Thomas further saith that the Cause aforesd. Continued undetermined in the said Court from the time of the Exhibition of the said Bill and answer to wit at Annapolis aforesd. untill the Day of in the Year of our Lord Seventeen hundred and on which same Day of the said John Prichard died Seized in Prince Georges County aforesd. and so the said Richard Snowden saith that he Prosecuted the said Writ of Injunction with Effect untill the further Prosecution thereof or the Obtaining any decree against him the said John Prichard became impossible by the Act of God Viz. the Death of the said John Prichard, and this he is ready to Verify and therefore prays Judgment of the said Rebecca her Action aforesd. against him to have or maintain ought &c.

And the said Rebecca saith that she by any thing by the said John by Pleading alledged her Action thereof aforesaid against him the said John from having ought not to be Precluded because she saith that after the Death of the said John Prichard and after the the said Rebecca had taken upon herself the Burthen of the Execution of the last Will and Testament aforesd. and before the Impetration of the Original Writ of her the said Rebecca against the said John Thomas in this Cause to wit on the first Day of April in the Year of our Lord God one Thousand seven hundred and forty Two at County aforesd. the said Rebecca gave Notice and Requested the said Richard Snowden to Revive the aforesd. Bill of Complaint so as aforesd. Exhibited in the High Court of Chancery aforesd. against her the said Rebecca as Executrix of the last Will and Testament aforesd. according to the Course and Established Practice in the same Court of Chancery in such Cases used and Practised and that the said Richd. the same Complaint to revive as aforesd. and the Writ of Injunction further to Prosecute as her the said Rebecca as Exect. as aforesd. then and hitherto hath delayed and denied to wit at the County aforesd. and this the said Rebecca is ready to Verify wherefore she prays Judgmt. and that her Debt aforesd. together with her damages by Occasion of the detention of that Debt to her may be adjudged &c.

And the said John saith that the Plea aforesd. by Replication above Pleaded and the matter therein Contained are not Sufficient in Law for her the said Rebecca her Action aforesd. against him to have or maintain or to Compell him to answer thereto and that he to the same Replication hath no Need nor by the Law of the Land is held to answer and this he is ready to Verify wherefore for want of a sufficient replication in this part the said John prays Judgment that the said Rebecca John having or maintaining her Action aforesd. may be Precluded.

And the said Rebecca Executrix as aforesd. saith, that the Plea aforesd. by her the said Rebecca in manner and form aforesd. above in her replication Pleaded and the matter in the same Contained are Good and Sufficient in Law for her the said Rebecca to have and maintain her Action aforesd. against him the said John Thomas which said Plea and the matter in the same Contained the said Rebecca is ready to Aver and Prove so far as the Court here shall award &c. and because the said John Thomas hath not answered to that Plea nor the same hitherto in any manner hath denied the said Rebecca as before demanded Judgmt. and her Debt aforesd. together with her damages on Occasion of Detaining that Debt to be adjudged to her &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 said Rebecca Tilley Exx as aforesd. above in Replying alledged, and the matter therein Contained are not sufficient in Law for the said Rebecca Exx. her Action aforesd. against the said John Thomas to have and maintain.

Therefore it is Considered by the Justices here that the said Rebecca Tilley Exx. aforesd. take nothing by her Writ aforesd. but that she and her Pledges of Prosecuting to wit John Doe and Richd. Roe be in Mercy for their false Clamour, and that the said John Thomas go thereof without Day &c.

Test. Richd. Burdett Cl.

To John Prichard's Exx
a
D.D. James Brooke

Command was given to the Sheriff of Prince Georges County that he should take James Brooke late of Prince Georges County Gentleman otherwise Called James Brooke Gentleman of Prince Georges County if he should be found in his Bailywick and him should safe keep so that he might have his body before his Lordship's Justices of the Provincial Court to be held at Annapolis the third Tuesday of May then next to answer unto Rebecca Tilley Executrix of the last Will and Testament of John Prichard of Pr. Georges County Merchant Deceased of a Plea that he render unto her nineteen hundred and fifty three pounds and eight pence Sterling which from her he unjustly detained &c. And that thereof he the said Sheriff should not fail &c.

And the said Rebecca Tilley Executrix as aforesaid by her Attorney aforesaid declared against the said James Brooke in the Plea aforesd. as follows Viz. Maryland ss. James Brooke late of Prince Georges County Gentleman, otherwise Called James Brooke Gentleman of Prince Georges County (was)