of the said Deceased which he did owe at the time of his Decease so far forth as the said Goods Chattels and Credits would extend to and the Law would Charge and hath also paid and satisfyed all such Reasonable Charges and Foos that had arisen or become due to any of his Lordships Officers from her the said Araminta on Account of the said Estate to wit at AnnArundel County aforesd, And the said David Arnold and Rebecca his Wife and Roger Boyce further say that the said Araminta hath made a true and perfect Account of and upon her said Administration on the Tenth day of May in the Year of our Lord Seventeen hundred and thirty eight at AnnArundel County aforesd and the said David Arnold and Rebecca and Roger Boyce further say that such Parcel or Portition of the said Estate as was found remaining upon such Account Examined and Adjudged by the Judgs appointed for the time being for Probate of Wills the said Araminta did distribute and dispose according to Law to wit at AnnArundel County aforesd And the said David Arnold and Rebecca & Roger Boyce further say that the said Araminta hath at all times since the making the Writing Obligatory aforesd Clearly discharged and saved harmless his Lordship his Judges and all other his Officers and Ministers from all Persons having or pretending to have any Right Title or Interest of in or to the said Goods and Chattels to wit at AnnArundel County aforesd according to the form & Effect of the Condition aforesd and this they are ready to Verify wherefore they pray Judgment if the said Henry Darnall Esq.r Attorney General aforesd the Action aforesd against them to have ought ye.

And the said Attorney General saith that by any thing above Alledged the said Lord Propry. from having and maintaining his Action aforesd against the said David Arnold & Rebecca his Wife and Roger Boyce ought not to be Excluded because he saith that Joseph Young Esquire the Testator in the Condition of the said Writing mentioned the day of in the Year of our Lord Seventeen hundred and made his last Will and Testament in Writing and thereof Constituted the said Araminta his Wife to be his Executrix and thereafter Dyed to wit at AnnArundel County aforesd by which same Testament the said Joseph Young Bequeathed after his just Debts Legacys Funeral Expences and his Wifes thirds were paid the residue of his Personal Estate to be equally divided between his three Daughters share and share alike and the said Attorney General in fact saith that the residue of the Personal Estate of the said Joseph Young the Testator after the Payment of his just Debts Legacys Funeral Expences and Wifes thirds deducted amounted to fifteen hundred and eighty nine Pounds and a Quarter of a Pound of Trash Tobacco and Seven Thousand eight hundred and twenty three Pounds and one Quarter of a Pound of Top Tobacco and eighteen hundred and fifty four Pounds Seventeen Shillings and One Penny half Penny Current Money of Maryland And the said Attorney General further in fact saith that the said Joseph Young the Testator at the time of making his said Will and at the time of his ~~s~~ Death to wit at Cecil County aforesd had three Daughters Namely Mary Mileah the Wife of the said Samuel Budd in the Indorsement mentioned and Elizabeth since Dead Intestate, without Issue and the one third part of the said Sums of Trash Tobacco Top Tobacco and Current Money belonged to the said Mileah the Wife of the said Samuel Budd in the Indorsement of the said Writ mentioned and amounts to the Sums of five hundred and twenty nine Pounds and three Quarters of a Pound of Trash Tobacco two Thousand six hundred and Seven Pounds and three Quarters of a Pound of Top Tobacco and four hundred and eighty four Pounds nineteen Shillings and an half Penny Current Money of Maryland

(as)

as one of the Daughters and residuary Legatees of the said Joseph Young the Testator which said Sum of five hundred and twenty nine Pounds and three Quarters of a Pound of Trash Tobacco Two Thousand six hundred and Seven Pounds and three Quarters of a Pound of Top Tobacco and four hundred and eighty four Pounds nineteen Shillings and an half Penny Current Money or any part thereof the said Araminta the Executrix whilst she was Sole and before her Intermarriage with a certain William Alexander deceased with which said William Alexander the said Araminta Intermarried or the said William Alexander and Araminta after such their Intermarriage in the lifetime of the said William or the said Araminta the Executrix aforesd after the Death of the said William whilst she was Sole and before her Intermarriage with a certain Machey deceased with which said Machey the said Araminta Intermarried or the said Machey and Araminta after such their Intermarriage in the lifetime of the said Machey or the said Araminta the Executrix aforesd after the Death of the said Machey to the said Mileah the Wife of the said Samuel Budd whilst she was Sole and before her Intermarriage with the said Samuel Budd in the Indorsement of the said Writ mentioned or to the said Samuel Budd and Mileah his Wife or either of them since the Expiration between them had and Celebrated altho' often required have not paid nor hath any of them paid But the same have always refused to pay and this the said Attorney General is ready to Verify and therefore prays Judgment for the Debt aforesd together with the Damages Sustained by Occasion of the detention of that Debt to the said Lord Propry. to be Adjudged with this that the said Attorney General is ready to Verify that Mileah the Wife of the said Samuel Budd in the Indorsement of the said Writ mentioned and Mileah one of the Daughters and residuary Legatees of the said Joseph Young mentioned in the Testament and last Will of the said Joseph Young in the Condition of the said Writing mentioned is one and the same Person and not others & divers

And the aforesd David Arnold and Rebecca his Wife and Roger Boyce say that the said Lord Propry his Action aforesd thereof against them to have ought not because they say that the aforesd Araminta whilst she was Sole and after the Death of the said Machey to wit on the Tenth day of Sept. Seventeen hundred and forty nine at Cecil County aforesd paid unto the aforesd Samuel Budd and Mileah his Wife the aforesd five hundred and twenty nine Pounds & three Quarters of a Pound of Trash Tobacco two Thousand six hundred and Seven Pounds & three Quarters of a Pound of Tobacco and four hundred and eighty four Pounds nineteen Shillings and an half Penny Current Money and this they are ready to Verify ye. wherefore they pray Judgment if the said Attorney General the Action having and maintaining his Action aforesd ought not to be Barred because he saith that the said Araminta never did pay unto them the said Samuel Budd and Mileah his Wife or either of them the said Sums of Trash Tobacco Top Tobacco and Current Money or any part thereof so as the aforesd David Arnold & Rebecca his Wife and Roger Boyce above have Alledged and this he prays may be enquired of by the Country, And the Defendants also

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Nevertheless the said David Arnold and Rebecca his Wife and Roger Boyce by their Attorney aforesd relinquish the Averment above by them Pretended Whereupon the said Henry Darnall Esq.r Attorney General of the said Lord Propry who ye. pray that the said David Arnold & Rebecca his Wife and Roger Boyce to the Writ and Declaration aforesd may Answer But the said David Arnold & Rebecca his Wife & Roger Boyce altho' solemnly called come not but make default whereby the same Lord Propry. remains against the aforesd Defendants without any further Defence

Therefore it is Considered by the Justices here That the said Lord Propry. his Damages by Occasion of the Premises ought to recover against the said David Arnold & Rebecca his Wife & Roger Boyce as Exors aforesd But because it is unknown unto our said Justices what Damages the said Lord Propry. hath Sustained by the aforesd Occasion It is Commanded the

(Sheriff)