Appointed by Law to Receive the same and the said John further saith that it did not appear that any Will and Testament was made by the deceased Joseph Porter and Exhibited into the same Court and this the said John is ready to Verify Wherefore he prays Judgment if the aft. Attorney General for the said Lord Proprietary the Action aft. thereof against him ought to have or maintain &c.

And the aft. Attorney of the said Lord Proprietary for the same Lord Proprietary saith that he by any thing Pleaded ought not to to be Precluded from having his action aft. for the said Lord Propty against the same John because Protesting that the said Elizabeth did not Perform and fulfill the Several Articles matters and things in the said Condition mentioned by her to be Performed and fulfilled as the said John above by Pleading hath alledged for Replication he saith that after the Death of the said Joseph and after the Commission of Administration aft. to the said Elizabeth Porter to wit the first day of December in the year of our Lord One thousand seven hundred and fifty four at the County aft. the said Elizabeth was Possessed of the whole Personal Estate of the said Joseph Porter amounting in value to Seven hundred and fifty eight Pounds five shillings and four Pence half penny Current Money and afterwards to wit the tenth day of December in the same year at the County aft. Intermarried with a certain Peter Falk of Talbot County Planter and afterwards to wit the Twenty second day of December in the year of our Lord One thousand seven hundred and forty four at the County aft. the said Peter and Elizabeth was Administratrix as aft. did make up and pass an Account of the said Estate of the said Joseph Porter before Thomas Bullen Gentleman then Deputy Commissary of Talbot County aft. in due and legal manner Constituted Appointed and Qualified and legally Authorized and Commissioned to Examine Allow and Pass the same and upon the making up and passing that Account there did then and there remain in the Hands of the said Peter and Elizabeth as Administratrix as aft. of the Clear Personal Estate of the said Joseph Porter after all Debts due from the said Joseph Porter were paid and Discharged and all Allowances and Disbursments made the Sum of Six hundred and fourteen Pounds twelve shillings and three Pence Current Money of Maryland to be paid and Distributed to the Legal Representatives of the said Joseph Porter, And that a certain Frances Risby the Niece and one of the Legal Representatives of the said Joseph Porter was then and

(there)

there intitled to and Appointed by Law to Receive one Sixteenth part of one full Moiety of the said Clear Personal Estate of the said Joseph Porter amounting to Nineteen Pounds four shillings one Penny and one half penny Current Money whereof the said Peter and Elizabeth then and there had Notice which said Frances afterwards to wit the day of Anno Domini One thousand seven hundred and at the County aft. Intermarried with aforesaid James Smith in an Indorsement made upon the Original Writ in this Cause named Nevertheless the said Peter and Elizabeth or either of them the said Sixteenth part of the said Moiety of the said Estate or any part thereof unto the said Frances while she was sole or unto the said James and Frances since Espousals between them Celebrated have not paid nor hath either of them paid although to do the same by the same James and Frances since Espousals between them Celebrated to wit on the day of in the year of our Lord one thousand seven hundred and at the County aft. the same Peter and Elizabeth were Required but the same to pay have Refused and this the said Attorney of the said Lord Propty for the said Lord Propty is ready to verify Wherefore he prays Judgment if he for the said Lord Propty from having his action aft. against the said John Blake ought to be Precluded &c.

Nevertheless the aft. John Blake by his Attorney aft. Relinquishing the Account above by him Pretended says that he cannot deny the action of the said Lord Propty so as aft. against him Brought nor but that the Writing Obligatory aft. may be the Deed of him the said John Blake nor but that he owes to the said Lord Propty the Sum of Nineteen Pounds four shillings and one Penny half penny Current Money so as the aft. Attorney General of the said Lord Propty above in his Replication hath alledged

Therefore it is Considered by the Justices here that the said Lord Propty Recover against the said John Blake as well the aft. Sum of Nineteen Pounds four shillings and one penny half penny Current Money his Debt aft. as also the Sum of

570 l. 7 s. 5 d. Pounds of Tobacco by the Court here unto him in his assent Adjudged as well for his Damages Sustained by occasion of Detaining that Debt as for his Cost and Charges by him about his Suit in this behalf laid out and Expended And the said Defendant in mercy &c.

Test. R. Burgess Clk

N.J. William Peaceable Esqr of James Lloyd . . . . Complt
&
Cq. Daniel Maynadier . . . .

Maryland Talbot County ss.
Daniel Maynadier late of Talbot County Planter was attached to answer unto William Peaceable of a plea wherefore he the said Daniel with force and arms &c. into all that Land or Parcell of Rentable Land called Partnership lying in Talbot County on the North side of Great

(Choptank)