and all manner of Advantage as well to the Writ as to the Declaration aff. prays leave to imparle hereunto until next Court & he hath it & the same Day is given to the Plaintiff also

At which said next Court to wit the 11th Day of September Anno Domi 1753 come again the said Parties Plaintiff and Defendant by their Attorneys aff. and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court & he hath it and the same Day is given to the Plaintiff also At which said next Court to wit the 2d Day of May Anno Domi 1754 comes again as well the said Thomas Reynolds by his Attorney aff. as the aff. Greenberry Dorsey Junr Admr as aff. by his Attorney aff. And the said Greenberry Dorsey Junior by his said Attorney as before defends the force and injury when &c. And saith that he with the Debt aff. by virtue of the writing Obligatory aff. ought not to be burthened because he saith that that Writing is not the Deed of the aff. Mary and of this he puts himself upon the Country &c. And the aff. Thomas in like manner &c. And the said Greenberry here with leave of the Court according to the form of the Statute in such Case made & provided further Defends the force and injury when &c. And says that the said Thomas ought not to have or maintain his said Action thereof against him because he saith that he the said Greenberry before the Day of suing out the aff. Original Writ of the said Thomas had fully administered all the Goods and Chattels which were of the said Mary at the time of her Decease in his Hands to be Administered and that he hath no Goods or Chattels which were of the aff. Mary at the time of her decease in his Hands to be Administered nor had he on the Day of suing out the said Writ nor at any time since and this he is ready to Verify Whereupon he prays Judgment if the said Thomas his Action aff. thereof against him the said Greenberry ought to have or maintain &c. And the said Greenberry here with leave of the Court according to the form of the Statute in such case made and provided further defends the force and injury when &c. And saith that the aff. Thomas his Action aff. against him to have or maintain ought not because he saith that he the said Greenberry on the Day of in the Year of our Lord seventeen hundred and first had Notice of the Writing Obligatory aff. of her the aff. Mary and not before and that he the said Greenberry had fully Administered all & singular the Goods and Chattels which were of the said Mary at the time of her Death before the said Day of in the said Year to wit at the County aff. and that he the said Greenberry hath not nor on the said Day of in the said Year had or were afterwards hath had any Goods or Chattels which were of her the said Mary at the time of her Death in his Hands to be Administered and this he is ready to Verify &c. Wherefore he prays Judgment if the said Thomas his Action aff. against him the said Greenberry ought to have or maintain &c. And the aff. Thomas as to the second Plea of the aff. Greenberry saith that he by any thing by the said Greenberry in his said second Plea alledged from having his Action aff. ought not to be precluded because he saith that the aff. Greenberry on the Day of the Suing out of the Original Writ aff. of the said Thomas had divers Goods and Chattels which were of the aff. Mary at the time of her Death in his Hands to be Administered to the Value of the Debt aff. with which he might have satisfied the said Thomas his Debt aff. to wit at Ann Arundel County aff. And this he prays may be enquired of by the Country And the aff. Greenberry in like manner &c. And as to the third Plea of the said Greenberry the said Thomas saith that he by any thing by the said Greenberry in his said third Plea alledged from having his Action aff. ought not to be precluded because he saith that the aff. Greenberry on the said Day of in the Year of our Lord seventeen hundred & had divers Goods and Chattels which were of the aff. Mary at the time of her Death in his Hands to be Administered to the Value of the Debt aff. with which he might have satisfied the said Thomas his Debt aff. to wit at Ann Arundel County aff. and this he prays may be enquired of by the Country And the aff. Greenberry in like manner: Whereupon for Trying the Issue aff. Command is given to the Sheriff of Ann Arundel County that he cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices appointed to take the Assize in his County if they shall before that time to wit on Monday the ninth Day of September next to the County Court House in the said County come twelve Good and Lawful Men of his Bailiwick by whom &c. who neither &c. to Recognize &c. Because as well &c. Afterwards the Issue continued between the Parties aff. in the Plea aff. by the Jury being put thereon in Respite here until the Third Tuesday of October next Unless the Justices of his Lordships the Lord Proprietary to take the Assize in the said County Assigned on Monday the ninth Day of September next to the County Court House in the said County shall come

And now here at this Day to wit the said Third Tuesday of October being the 15th Day of the same Month Anno Domi 1754 comes into his Lordships Provincial Court here as well the said Thomas Reynolds by his Attorney aff. as the said Greenberry Dorsey Junr by his Attorney aff. But the said Sheriff hath not sent his Writ. Nevertheless the said Greenberry Dorsey Junior Admr aff. by his Attorney aff. relinquishes the Demurrer above by him pretended And upon this the aff. Thomas Reynolds by his said Attorney prays that the aff. Greenberry Dorsey Junior may Answer to his Declaration aff. &c. Upon which the aff. Attorney of the said Greenberry Dorsey Junr says that he is not informed by the said Greenberry of any Answer to be given for the said Greenberry to the said Thomas Reynolds in the Premisses nor saith he any thing else thereof in Bar or Exclusion of the said Action of the aff. Thomas Reynolds by which the said Thomas Reynolds ought thereon against the aff. Greenberry undefended &c.

Therefore it is considered by the Justices here That the said Thomas Reynolds Recover against the said Greenberry Dorsey Junior Admr aff. as well the Sum of One Hundred and twelve Pounds Sterling Money a certain Debt as also the Sum of

Pounds of Tobacco by the Court here unto him on his Assent Adjudged as well for his Damages

12/9/54 sustained by means of detaining that Debt as for his Costs and Charges accruing to him about his Suit in this behalf laid out and expended To be Levyed of the Goods and Chattels which were of the aff. Mary Henderson at the time of her Death in the Hands of the said Greenberry to be Administered if so much he hath and if so much he hath not then the Cost aff. to be Levyed of the proper Goods & Chattels of the said Greenberry And the said Greenberry in Mercy &c. Test R. Bordley Clk

(B) John Owen } Maryland Cecilia County ss. Be it Remembered That heretofore to wit the first Day
(Ex) George Backer } of March Anno Domi 1753 Command was given to the Sheriff of Cecilia County that he should take George Backer late of Cecilia County Gent if he should be found in his Bailiwick & him safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the second Tuesday of April then next to Answer unto John Owen in a Plea of Trespass upon the Case And that thereof he the said Sheriff should not fail &c. At which said second Tuesday of April to wit the 10th Day of the same Month Anno Domi 1753 being the Day of the return of the aforegoing Writ comes the said John Owen by Stephen Bordley his Attorney and the Sheriff of Cecilia County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Endorsed viz. Cepi Corpus John Hanson Shff. Cecil County

And the said Sheriff altho' solemnly called to bring into Court the body of the said George Backer according to the return of the Writ aff. brings him not in but makes Default Whereupon it is Adjudged that the said Sheriff be amerced Ten Pounds Sterling unless he have the Body of the said George Backer here the first Week of next Court. At which said next Court to wit the 11th Day of September Anno Domi 1753 comes again the said John Owen by his Attorney aff. And the said Sheriff being called upon to bring into Court the Body of the said George Backer according to the return of the Writ aff. brings him in Thereupon the said Amerciament is ordered to be struck off And the said George Backer at the Prayer of the Plaintiff by his Attorney aff. is Adjudged to give Special Bail to the Action aff. Thereupon return Samuel Hanson and John Hanson of Cecilia County Gents present here in Court in their proper Persons Undertake for the said George Backer that on

(Case)