General the Action aforesaid for the said Lord Proprietary that now is thereof against him to have or maintain ought not because he saith that the aforesaid Gideon in his Life Time after the making and executing the Writing Obligatory aforesaid did make a true and perfect Inventory of all and singular the Goods Chattles and Credits of the said William Hagarthy in the Condition aforesaid mentioned together with a list of the Debts Sperate and Desperate which thereafter came to the Hands possession or knowledge of him the said Gideon and the same Inventory so made did exhibit into the Prerogative Court at Annapolis before the said seventeenth Day of November in the Condition aforesaid specified and the same Goods Chattles and Credits did well and truly Administer according to Law that is to say did pay the Debts of the said William Hagarthy and did make a Just and true Account of his the said Gideons Administration before the seventeenth Day of August in the Condition aforesaid specified and all the rest and residue of the said Goods Chattles and Credits which was found remaining upon the said Gideons Account after the same had been examined and allowed of by the Judge for the time being did deliver and pay unto the person appointed by Law to receive the same to wit at Kent County aforesaid and this the said James Pearce is ready to verify wherefore he prays Judgment if the aforesaid Attorney General the Action aforesaid for the said Lord Proprietary that now is thereof against him to have or maintain ought and so forth with this that the said James Pearce will aver that no Goods Chattles or Credits of the said William Hagarthy did come to the Hands possession or knowledge of the said Gideon before the making and executing the Writing aforesaid and that no Goods Chattles or Credits of the said William Hagarthy did come to the Hands possession or knowledge of any other person for him the said Gideon And with this also that the said James Pearce will aver that after the making the Writing aforesaid it did not appear that any last Will and Testament was made by the said William Hagarthy And the aforesaid James Pearce with the leave of the Court here in the premises according to the form of the Statute in such Case made and provided further defends the force and Injury when and so forth and prays a hearing of the Writing aforesaid and to him it is read he also prays a hearing of the Condition of the same Writing which is read unto him in these words following to wit

Which being read and heard the aforesaid James Pearce further saith that the aforesaid Attorney General the Action aforesaid for the said Lord Proprietary that now is thereof against him to have or maintain ought not because he saith that by a certain Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis the tenth Day of July in the Year of our Lord one thousand seven hundred and twenty nine intitulled an Additional and Supplementary Act to the several Acts for the Administration of Justice in Testamentary Affairs it was amongst other Things enacted that all Actions upon Administration and Testamentary Bonds should be commenced within Twelve Years after the passing of the said Bonds and not after as by the same Act amongst other Things fully appears And the said James Pearce further saith that the Writ of the said Lord Proprietary that now is in this Case impeached was first impeached on the eighteenth Day of April in the Year of our Lord one thousand seven hundred and sixty one and that after the passing the Writing Obligatory aforesaid twelve Years and more were elapsed before the Action aforesaid was commenced and this the said James Pearce is ready to verify wherefore he prays Judgment if the aforesaid Attorney General the Action aforesaid for the said Lord Proprietary that now is thereof against him to have or maintain ought and so forth

And the said Attorney General for the said Lord Proprietary saith that the Lord Proprietary by any Thing by the said James Pearce in his second plea above alledged from having and maintaining the Action aforesaid thereof against him the said James to be precluded ought not because he saith that after the Death of the said William Hagarthy in the Writing Obligatory mentioned and after the Execution of that Writing Obligatory Administration of all and singular the Goods and Chattles Rights and Credits which were of the said William at the Time of his Death at Kent County aforesaid to the said Gideon in his life Time in due form of Law was committed And the said Attorney General further saith that the Goods Chattles and Credits of the said William Hagarthy afterwards did come to the Hands and possession of the said Gideon in his life Time by Virtue of the Commission of the Administration aforesaid to him as aforesaid granted to the value of Ninety nine Pounds eighteen Shillings

(Current)