said Defendant by his said Attorney prays further leave to imparle hereunto until next Court and he hath it the same Day is given to the Plaintiff also

At which said next Court to wit the 10th Day of April Anno Domini 1764 comes again as well the said Mary Walkins Executrix as aforesaid by her Attorney aforesaid as the said Samuel Budd by his Attorney aforesaid and the said Samuel Budd by his said Attorney saith that she the said Mary Execution against him for the Debt and Damages aforesaid to have ought not because he saith that there is not such Record of the Judgment and Recovery aforesaid in the same Provincial Court of the Right Honourable the Lord Proprietary now here remaining as the said Mary by her Writ of Scire facias aforesaid hath above supposed and this he is ready to verify and so forth wherefore he prays Judgment if the said Mary Execution against him for the Debt and Damages aforesaid to have ought and so forth

And the aforesaid Samuel with the leave of the Court here according to the Form of the Statute in such Case lately made and provided further saith that the said Mary Execution against him for the Debt and Damages aforesaid to have ought not because he saith that after the rendering the Judgment aforesaid in the Writ of Scire facias aforesaid above mentioned and before the Suing the said Writ of Scire facias to wit on the first Day of January in the Year seventeen hundred and sixty two at Baltimore County aforesaid he the said Samuel paid to the said Mary the aforesaid sum of three hundred and six pounds nine shillings and ten pence Current Money Debt and one shilling Current Money and eight hundred and thirty eight pounds and one quarter of a pound of Tobacco of Damages aforesaid which the said Mary then and there received and accepted in full satisfaction and discharge of the Judgment aforesaid and this he is ready to verify and so forth Wherefore he prays Judgment if the said Mary her Execution aforesaid of the Debt and Damages aforesaid against him the said Samuel to have ought and so forth

And the aforesaid Mary as to the first plea by the said Samuel above pleaded saith that she from having Execution of the Debt and Damages aforesaid in the Writ of Scire facias mentioned to be precluded ought not because she saith that there is such a Record of the Judgment and Recovery aforesaid in the same Provincial Court now here remaining against the same Samuel as the same Mary by her Writ of Scire facias above hath alledged and this she is ready to verify by that Record and prays that the said Record may

(be)

be inspected by the Court and so forth

And the aforesaid Mary as to the second plea by the said Samuel above pleaded saith that she from having Execution of the Debt and Damages aforesaid in the Writ of Scire facias mentioned to be precluded ought not because she saith that the aforesaid Samuel did not pay unto her the aforesaid sum of three hundred and six pounds nine shillings and ten pence Debt and one shilling and eight hundred thirty eight pounds and one quarter of a pound of Tobacco Damages in manner and form as the said Samuel above hath alledged and this she prays may be enquired of by the Country And the aforesaid Samuel in like manner Nevertheless the said Samuel Budd relinquishes the Documents aforesaid above by him pleaded Whereupon the said Mary Walkins by her Attorney aforesaid offers herself ready for Judgment against the said Samuel Budd of and upon the plea aforesaid But the said Samuel Budd altho solemnly called comes not but makes Default

Therefore it is considered by the Justices here that the said Mary Walkins Executrix as aforesaid have her Execution against the said Samuel Budd for as well the aforesaid sum of three hundred and six pounds nine shillings and ten pence Current Money the Debt aforesaid and one shilling Current Money and eight hundred and thirty eight pounds and one Quarter of a pound of Tobacco Costs and Charges aforesaid in the Writ of Scire facias aforesaid specified As also the sum of

Ex 5/5/4 Tobacco by the Court here unto the said Mary Walkins on her Assent adjudged for her Costs and Damages sustained by delay of Execution of the Judgment aforesaid &c.

Test Rezin Ghiselin Clk

Cy Edward Loyd Esq.
against
Ats. Ann Dallam Administratrix of William Dallam

Baltimore County ss. Ann Dallam late of Baltimore County Widow Administratrix of all and singular the Goods and Chattles Rights and Credits which were of William Dallam late of Baltimore County deceased at the Time of his Death who dyed Intestate with in said County summoned to answer unto Edward Loyd Esq.r of a plea that she render unto him the sum of seven hundred forty five pounds three shillings and three pence half penny Sterling Money of Great Britain and three hundred ninety nine pounds sixteen shillings and eight pence Current Paper Money of Maryland which from him she injustly detains and so forth And Whereupon the same Edward Loyd by Charles Goldsborough his Attorney saith that the aforesaid William Dallam in his Life Time to wit the thirty first Day of May in the Year seventeen hundred and fifty nine at Baltimore County aforesaid

(by)