comes again into Court here the said John Duhamell, administrator as aforesaid by his Attorney aforesaid, and the said Philemon C. Blake Sheriff of the County aforesaid, in pursuance of the command of the writ aforesaid and according to the tenor of his return thereof as aforesaid, and in compliance with the rule of the Court aforesaid, and to save the amerciament aforesaid, brings into Court here the body of the said Cornelia Sewell Executrix as aforesaid. Whereupon it is ordered by the Court here that the rule and amerciament aforesaid be discharged and stricken out, and the said Cornelia Sewell Executrix as afs.d being called appears in Court here by Richard Tilghman Cooke her Attorney, and the said Cornelia Sewell Executrix as aforesaid defends the force and injury when and wherefore and prays leave of the Court here to imparle until the fourth Monday of October next, and to her it is granted the same day is given to the said John Duhamell, Administrator as aforesaid also. At which said fourth Monday of October being the twenty second day of the same month, in the year Seventeen hundred ninety eight to which said day the said Cornelia Sewell Executrix as aforesaid had leave to imparle comes again into Court here, as well the said Cornelia Sewell Executrix as aforesaid, as the said John Duhamell administrator as aforesaid by their Attorneys aforesaid, And the said Cornelia Sewell Executrix as aforesaid by her Attorney aforesaid prays that the said John Duhamell administrator as afs.d may declare against her the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid. Whereupon it is ruled by the Court here, that the said John Duhamell administrator as aforesaid declare against the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid, and if the said John Duhamell administrator as aforesaid, doth not declare against the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid Judgment will be rendered against him by default, and the said John Duhamell administrator as aforesaid by his said Attorney prays leave of the Court here to imparle until the first Monday in May next to declare against the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid, and he hath it; the same day is given to the said Cornelia Sewell Executrix as aforesaid then &c.

And now at this day to wit, the said first Monday of May being the sixth day of the same month in the year Seventeen hundred and ninety nine, until which day the said John Duhamell administrator as aforesaid had leave to imparle, and then to declare against the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid, comes as well the said John Duhamell administrator as aforesaid as the said Cornelia Sewell Executrix as aforesaid by their Attorneys aforesaid, and the said John Duhamell administrator as aforesaid by his said Attorney declares against the said Cornelia Sewell Executrix as aforesaid in the plea aforesaid as follows that is to say— Queen Ann's County ss. Cornelia Sewell Executrix of the Testament & last Will of Clement Sewell of Queen Ann's County deceased was Summoned to answer unto John Duhamell administrator of all & singular the goods and chattels rights & credits which were of Nathan Wilkinson deceased at the time of his death, who died intestate as it is said of a plea of Trespass upon the Case and so forth— And whereupon the said John Duhamell, by John Scott his Attorney complains that whereas the aforesaid Nathan Wilkinson in his lifetime, to wit, on the thirteenth day of October, in the year Seventeen hundred and eighty four, at Queen Ann's County aforesaid had at the special instance and request of him the said Clement Sewell in his lifetime done & performed for him the said Clement divers works labours and services in and upon the house of him the said Clement, and in and upon the farming instruments of the said Clement, he the said Clement afterwards, to wit, on the day and year aforesaid at the County afs.d in consideration thereof upon himself assumed and to the said Nathan in his lifetime then & there faithfully promised that he the said Clement when afterwards he should be thereunto required would well and truly content & pay unto him the said Nathan all such sums of money as he the said Nathan had reasonably deserved to have for his said work, labour & services so done as aforesaid. And the said Nathan in fact says that he reasonably deserved to have of the said Clement for the said work labour and services so done as aforesaid the sum of Sixty four pounds ten shillings, whereof the said Clement afterwards to wit, on the day & year

aforesaid at the County aforesaid had notice. And whereas he the said Clement in his lifetime afterwards to wit, on the day and year aforesaid at the County aforesaid was indebted to him the said Nathan in his lifetime in another sum of Sixty four pounds ten shillings for other work & labours by him the said Nathan before that time done & performed for the said Clement and at his special instance & request, and being so thereof indebted he the said Clement in consideration thereof afterwards to wit, the day and year aforesaid at the County aforesaid upon himself assumed and to the said Nathan then & there faithfully promised that he the said Clement the last aforesaid sum of current money unto him the said Nathan when afterwards he should be thereunto required would well and truly content & pay. Nevertheless the aforesaid Clement in his lifetime, and the aforesaid Cornelia Sewell since the death of him the said Clement, the promises and assumptions aforesaid of the said Clement in his lifetime so as aforesaid made not in the least regarding but minding & fraudulently intending him the said Nathan in his lifetime, and the said John Duhamell since the death of him the said Nathan in this behalf craftily and subtilly to deceive and defraud, the afs.d sums of money or any part of either of them to him the said Nathan in his lifetime, or to the said John since the death of him the said Nathan (to which said John the administration of all and singular the goods and chattels rights & credits which were of the said Nathan at the time of his death was at the County aforesaid after the death of him the said Nathan in due form of law committed) have not nor hath either of them paid or in any wise satisfied the said Nathan in his lifetime or the said John since the death of the said Nathan, for the same, altho' so to do the aforesaid Clement in his lifetime, afterwards, to wit, on the day and year aforesaid, and the said Cornelia since the death of the said Clement, to wit, on the first day of November Seventeen hundred and ninety five and often afterwards at the County afs.d by the said Nathan in his lifetime, and by the said John since the death of the said Nathan have been requested) but the aforesaid Clement in his lifetime, and the the aforesaid Cornelia since the death of him the said Clement, the aforesaid sums of money or any part of either of them to the said Nathan in his lifetime, or to the said John since the death of him the said Nathan have altogether refused and the said Cornelia still doth refuse to pay the same to the said John to the damage of him the said John ninety pounds and in delay of the execution of the administration of the goods and chattels rights and credits aforesaid and therefore he brings Suit &c. &c. and brings here into Court the letters of administration aforesaid which testify the Commission of the said administration to the aforesaid John Duhamell in form of law aforesaid and so forth—

John Scott for Plff. Pledges &c. John Doe & Richard Roe.

And the aforesaid Cornelia by James Scott her Attorney, comes and defends the wrongs and injury when and wherefore and says that the said John his action aforesaid to have & maintain ought not because she saith that the said Clement did not assume in his lifetime in manner & form as afs.d as the said John hath above declared against her, and of this she puts herself upon the Country &c. And the said Cornelia by leave of the Court for this purpose first had and obtained according to the form of the Statute in such case made and provided comes and further defends the wrongs and injury when &c. and says that the said John his action aforesaid against her to have & maintain ought not because she saith, that the said Clement in his lifetime did not assume in manner and form as the said John above hath declared against her at any time within three years next before the issuing of the writ of the said John in this cause impleaded, and this she is ready to verify &c. Therefore she prays Judgment of the said John his action aforesaid against her to have & maintain ought &c. And the said John Duhamell administrator as aforesaid, as to the first plea of the said Cornelia Sewell Executrix as aforesaid above pleaded, in like manner &c. And the said John Duhamell as to the second plea of the said Cornelia Sewell Executrix as aforesaid before pleaded, saith that he ought not to be barred from having and maintaining his aforesaid action thereof against her because he says that the said Clement Sewell in his lifetime did within three years next before the suing out the original Writ of the said John Duhamell administrator as afs.d against the said Cornelia Sewell Executrix as aforesaid in this cause undertake & promise in manner and form as the said John Duhamell administrator as aforesaid hath above thereof complained against her and this he prays may be enquired of by the Country &c. And the said Cornelia Sewell Executrix as afs.d