Here of fail not at your peril and have you then and there this writ
Witness the Honorable Stevenson Archer Chief Judge of our said
Court the first day of January in the year of our Lord eighteen
hundred and thirty eight.

Issued the 1st day of March 1838. Thos Hill Clerk

And the said Plaintiff by her Attorney aforesaid on the day of
prosecuting and suing forth the aforegoing writ declares against
the said Defendant In the plea aforesaid with a notice to her
declaration annexed as follows to wit

Baltimore County to wit John A Simmons and Susan his wife
who is the administratrix of all and singular the goods and chattels
rights and credits which were of Eaton R Partridge late of
said County deceased were attached to answer unto Margaret
Alexander who is the administratrix with the will of John
Partridge unto her letters of administration annexed of all
the goods and chattels rights and credits which were of the
said John Partridge late of said County deceased unadmin-
istered by the said Eaton R Partridge who in his life time
was executor under the last will and Testament of said
John Partridge of all the goods and chattels rights and credits
which were of the said John Partridge in a plea of trespass on the cases

And thereupon the said Plaintiff by John Glenn her Attorney
Complains For that whereas the said John Partridge departed
this life on the — day of — 18— possessed of certain goods and
chattels rights and credits to the value of two hundred thousand
dollars and by his last will and Testament did appoint the
said Eaton R Partridge to be the executor of said Will and
Testament. And whereas the said Eaton R Partridge in his
life time by virtue of letters testamentary to him granted by
the Orphans Court of County did become possessed and
receive the said sum of two hundred thousand dollars to the use
of the Plaintiff in this cause and after such receipt and posses-
sion to said use the said sum being to the said plaintiff due
owing and wholly unaccounted for did die to wit on the — day
— 183— and leave a large personal Estate more than sufficient
to satisfy the said Plaintiff the said sum so to her use received
and withheld. Whereupon the said Susan wife of the said John
A Simmons did by letters of Administration to her by the
Orphans Court of Baltimore County granted become admin-
istratrix of the goods and chattels rights and credits of the
said Eaton R Partridge but to the said plaintiff for the said
sums so received hath not, nor hath her husband the said
John A Simmons in any way accounted by means
whereof the said defendants to wit on the 1st day of March 1838
did become indebted to the said Plaintiff in the said sum of two
hundred thousand dollars and being so indebted the said
defendants afterwards to wit on the day and year and at the
County aforesaid undertook and faithfully promised the
said Plaintiff to pay her in consideration thereof the said sum
of money when they should be thereunto afterwards requested,

And whereas also the said defendants in this action

on the said first day of March in the year of our Lord eighteen
hundred and thirty eight to wit at the County aforesaid were
indebted to the said Plaintiff in a large sum of money to wit the
sum of Two hundred thousand dollars lawful money for the
work and labor care diligence and attendance of the said Plaintiff
before that time done performed and bestowed by the said Plaintiff
in and about the business of the said Defendants for their and
at their special instance and request and for divers materials
and other necessary things made done furnished used and
applied in about that work labor and business for the said
Defendants and at their like special instance and request,
And also in another like sum of money for the use and occupation
of certain rooms and appartments in and parcel of a certain
dwelling house buildings and land with the appurtenances of the
said plaintiff by the said defendants and at their like special
instance and request and by the sufferance and permission of
said plaintiff for a long time then elapsed had held used
occupied possessed & injoyed. And also in another like
sum of money for sundry matters properly chargeable in
account as by the particular account thereof herewith into
Court brought may and doth more fully and at large appear,

And also in another like sum of money for divers goods
wares and merchandize by the said plaintiff before that time
sold and delivered to the said defendants and at their like
special instance and request, And also in another like sum of
money for money by the Plaintiff before that time lent and
advanced to said said out and expended for the said defendants
and at their like special instance and request, And also in
another like sum of money for so much other money by
the said Defendant before that time had and received to and
for the use of the said Plaintiff and being so indebted the said
defendant in consideration thereof afterwards to wit on the
day and year aforesaid at the County aforesaid undertook
and then and there faithfully promised the said plaintiff
to pay her the said several sums of money in this Court mentioned,
when the said defendants should be thereunto afterwards requested,

And whereas also the said Defendants afterwards to wit
on the day and year aforesaid at the County aforesaid accoun-
ted with the said plaintiff of and concerning divers other sums
of money before that time due and owing from the said
Defendants to the said plaintiff, and then in arrear and
unpaid and upon such accounting the said defendants were
then and there found to be in arrear and indebted to the
said Plaintiff in another large sum of money to wit in the
further sum of two hundred thousand dollars of like
lawful money and being so found in arrear and
indebted the said Defendant in consideration thereof after-
wards to wit on the day and year aforesaid at the County
aforesaid undertook and faithfully promised the said plaintiff
to pay her the last mentioned sum of money when the said
defendant should be thereto afterwards requested.