A Copy of which aforegoing Declaration and Bond was made and sent with the writ which issued in the plea aforesaid.

At which said second tuesday in May court, the thirteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, being the day of the return of the aforegoing writ, come here into our General Court, the said Richard Footman, Benjamin Gibbs and William Sitgreaves by their attorney aforesaid, and the sheriff of Baltimore county to whom the same writ was made and directed, likewise comes and makes return thereof to the Court here thus endorsed to wit.

Cepi, copy left 19th April. Philip Graybill sheriff

And the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid by Richd Ridgely their attorney, come and defend the force and injury when and so forth, and pray leave of the Court here to imparle, until the second tuesday in October next, and to him it is granted and the same day is given to the said Richard Footman, Benjamin Gibbs & William Sitgreaves also.

At which said second tuesday in October to wit, the fourteenth day of the same month Anno Domini one thousand seven hundred and eighty eight, come again here into our General Court, as well the said Richard Footman, Benjamin Gibbs and William Sitgreaves by their attorney aforesaid, as the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid by their attorney aforesaid. And the said James Sterett, Deborah Sterett, and Samuel Sterett executors as aforesaid by their attorney aforesaid, as before, defend the force and injury when and so forth, and saith, that the said Richard Footman, Benjamin Gibbs and William Sitgreaves their action aforesaid thereof against them, to have and maintain ought not, because they say, that they the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid did pay unto the said Richard Footman, Benjamin Gibbs, and William Sitgreaves, the said sum of money in the Condition of the writing obligatory aforesaid mentioned with legal interest thereon, according to the form and effect of the said Condition of the writing obligatory. And this they are ready to verify. Wherefore they pray Judgment, if the said Richard Footman, Benjamin Gibbs and William Sitgreaves their action aforesaid against them, to have and maintain ought and so forth.

And the said Richard Footman, Benjamin Gibbs, and William Sitgreaves say, that they, by any thing by the said James Sterett, Deborah Sterett, and Samuel Sterett executors as aforesaid, before in pleading alledgid from having and maintaining their action aforesaid against them, ought not to be precluded, because they say, that the said James Sterett, Deborah Sterett, and Samuel Sterett executors as aforesaid, have not paid unto them the said Richard Footman, Benjamin Gibbs, and William Sitgreaves, the said sum of money, in the Condition of the writing obligatory aforesaid mentioned, with legal interest thereon, in such manner and form, as the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid, before in pleading hath alledgid, and of this, they pray may be enquired of by the Country, and the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid, in like manner and so forth.

Therefore let a Jury thereon come, before the Court here, on the second tuesday in May next, by whom and so forth, and who neither and so forth, to recognize and so forth, because as well, and so forth, the same day is given to the said Parties then and there and so forth.

And now here, on this day to wit, the said second tuesday in May being the twelfth

twelfth day of the same month Anno Domini one thousand seven hundred and eighty nine come again here into our General Court, as well the said Richard Footman, Benjamin Gibbs and William Sitgreaves by their attorney aforesaid, as the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid by their attorney aforesaid. And the said James Sterett, Deborah Sterett, and Samuel Sterett executors as aforesaid by their attorney aforesaid relinquishing the averment aforesaid, by them pretended, and saith that they cannot deny the action aforesaid, of the said Richard Footman, Benjamin Gibbs and William Sitgreaves so as aforesaid against them brought, nor but that they owe to the said Richard Footman, Benjamin Gibbs and William Sitgreaves, the said sum of nine hundred and thirty eight pounds, six shillings and eight pence current money, in such manner and form, as the said Richard Footman, Benjamin Gibbs and William Sitgreaves heretofore against them have declared.

Therefore it is considered by the Court here, that the said Richard Footman, Benjamin Gibbs and William Sitgreaves recover against the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid, as well the sum of nine hundred and thirty eight pounds six shillings and eight pence current money their debt aforesaid, in form aforesaid, confessed, as also the quantity of seven hundred and forty two pounds of tobacco, and three fifths of a pound, unto the said, Richard Footman, Benjamin Gibbs and William Sitgreaves on their assent adjudged, as well for their damages sustained by reason of the detention of that debt, as for their costs and charges by them about their suit, in this behalf laid out and expended, to be levied of the goods and chattels, which were of the said John Sterett, at the time of his death, in the hands of the said James Sterett, Deborah Sterett and Samuel Sterett executors as aforesaid remaining to be administered, if so much thereof in their hands, they have and so forth, and if so much thereof in their hands they have not and so forth, then the costs of suit aforesaid, to be levied of the proper goods and chattels of the said James Sterett, Deborah Sterett, and Samuel Sterett, executors as aforesaid. And the said James Sterett, Deborah Sterett, and Samuel Sterett, in mercy and so forth.

Memorandum. Judgment was rendered in this cause on the fifteenth day of May Anno Domini one thousand seven hundred and eighty nine, for penalty, to be released on the payment of the principal, interest, and costs, And the Plaintiffs agree to stay Execution until the first day of August next, payments if any to be allowed.

Test John Irvinn Clk.

Philip Richard Fendall admor of John Buchanan. against Henry Ridgely.

Be it remembered, that heretofore to wit, on the eleventh day of March Anno Domini one thousand seven hundred and eighty eight, Philip Richard Fendall administrator of John Buchananan by Richard Potts his attorney sued out of our General Court, the State of Marylands writ of Capias ad respondendum, directed to the sheriff of Ann arundel county, in the words and figures following to wit.

The State of Maryland &c. To the sheriff of Ann arundel county Greeting, We command you that you take Henry Ridgely late of Ann arundel county gentleman, otherwise called

Henry