And the said Catharine Lively executrix as aforesaid by her attorney aforesaid, declares against the said Conrad Dishen, in the plea aforesaid as follows towit.

Baltimore County towit, Conrad Dishen late of Baltimore county, otherwise called Conrad Dishen of the Town & county of Baltimore merchant, was summoned to answer unto Catharine Lively executrix of the Testament & last will of William Lively deceased of a plea that he render unto her the sum of three hundred & nine pounds current money which from her he unjustly detains &c. And whereupon the said Catharine Lively by David McMechen her attorney saith that whereas Conrad Dishen on the twenty seventh day of August in the year ewenteen hundred & eighty two, at Baltimore county aforesaid, and in the life time of the said William Lively by his certain writing obligatory, sealed with the seal of the said Conrad Dishen, and to the Court now here shewn the date whereof is the same day & year aforesaid, acknowledged himself to be held & firmly bound to the said William Lively in his life time, in the aforesaid sum of three hundred & nine pounds, to be paid to the said William Lively when afterwards he should be thereunto required. — Nevertheless the said Conrad Dishen although often thereunto required the aforesaid sum of three hundred & nine pounds current money to the said William Lively in his life time, or to the said Catharine after the decease of the said William Lively or to either of them, has not yet paid but the said Conrad Dishen has hitherto intirely refused to pay the said sum of three hundred & nine pounds current money to the said William Lively in his life time & to the said Catharine Lively since the decease of the said William Lively & still refuses to pay the same to the said Catharine Lively, to the damage of the said Catharine Lively, in the sum of six hundred pounds current money, & thereupon she brings suit &c. And the said Catharine Lively brings here into Court the letters testamentary of the said William Lively, by which it sufficiently appears to the Court here, that the said Catharine Lively is the Executrix of the said testament of the said William Lively, & has the administration thereof, &c.

David McMechan attyf. for pltff. Pledges &c. { John Doe & Richard Roe.

The writing obligatory, whereof mention is made in the Declaration aforesaid, and the Condition thereof follows in these words towit.

Know all Men by these presents that I Conrad Dishen of the Town & county of Baltimore, merchant am held & firmly bound unto William Lively of the same place Innholder in the full & just sum of three hundred & nine pounds specie to be paid to the said William Lively his certain attorney, executors, administrators or assigns. To which payment well & truly to be made & done I do bind myself, my heirs, executors, administrators & every of them firmly by these presents, sealed with my seal & dated this twenty

twenty second day of August seventeen hundred & eighty two. The Condition of the above obligation is such, that if the above bounden Conrad Dishen do & shall well & truly pay or cause to be paid unto the said William Lively his certain attorney executors administrators or assigns the full & just sum of one hundred & fifty four pounds ten shillings specie at or upon the twenty seventh day of august ewenteen hundred & eighty seven & without any fraud or further delay then the above obligation to be void & of none effect else to be & remain in full force & vertue in Law.

Sealed & delivered in the presence of John Machenhemir, Wm. Spencer } Conrad Dissher. (Seal)

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 towit, the twelfth day of the same month in the year of our Lord one thousand seven hundred and eighty nine, being the day of the return of the aforegoing writ, comes into our General Court here the said Catharine Lively executrix as aforesaid, by her attorney aforesaid, and the sheriff of Baltimore County, to whom the said writ was directed, likewise comes, and makes return thereof to the Court here thus endorsed towit

Cepi, Copy left 20th April 1789. Thomas Rutter shff.

And the said Conrad Dishen by Zebulon Hollingsworth his attorney, comes and defends the force and injury when &c. and saith, that he cannot deny the action aforesaid of the said Catharine Lively executrix as aforesaid, so as aforesaid against him brought, nor but that he owes to the said Catharine Lively Executrix as aforesaid the sum of three hundred and nine pounds current money, in such manner and form as the said Catharine Lively executrix as aforesaid above against him declared: Therefore it is considered, by the Judges of the Court here, that the said Catharine Lively executrix as aforesaid recover against the said Conrad Dishen as well the sum of three hundred and nine pounds current money, her debt aforesaid, in form aforesaid confessed; as the quantity of tobacco, which is adjudged, by the Judges of the Court here, unto her the said Catharine Lively executrix as aforesaid, on her assent, as well for her damages, which she sustained by occasion of the detention of that debt, as for her costs and charges by her about her suit in this behalf laid out and expended; and that the said Conrad Dishen be in mercy &c.

Memorandum, Judgment was rendered in this cause on the fourteenth day of May in the year of our Lord one thousand seven hundred and eighty nine for penalty and costs of suit, To be released on the payment of the principal, Interest, and costs, payments if any to be allowed. Test, John Gwinn Clk.

William Lyles Junior against Thomas Lane & uxor admrx of John Eversfield.

Be it remembered that heretofore towit, on the twenty second day of August in the year of our Lord one thousand seven hundred and eighty five, William Lyles Junior by Michael Jenifer Stone his