Snowden administrator as aforesaid, in the plea aforesaid; and he hath it; the same day is given to the said Thomas Snowden administrator as aforesaid, then &c.

At which said Second Tuesday of May being the twelfth day of the same month in the year of our Lord one thousand seven hundred and eighty nine, until which day the said Richard Spragg administrator as aforesaid had leave to imparle, and then to reply to the answers of the said Thomas Snowden administrator as aforesaid in the plea aforesaid, come as well the said Richard Spragg administrator as aforesaid as the said Thomas Snowden administrator as aforesaid by their attornies aforesaid; And the said Richard Spragg by his said Attornies saith, that by any thing above alleged in the first plea of the said Thomas Snowden he ought not to be precluded from having and maintaining his action aforesaid against the said Thomas Snowden, because he saith that the said Ebenezer Edmonson Orme in his life time to wit on the day of in the year did not pay the said John Spragg in his life time the said sum of One hundred pounds good and lawful money of Great Britain in the Condition of the writing obligatory mentioned with legal Interest on the same according to the form and effect of the said Condition to wit at Prince Georges County aforesaid as the said Thomas Snowden hath above by his said first plea alleged, and this the said Richard Spragg prays may be enquired of by the Country and the said Thomas Snowden in like manner &c. And the said Richard Spragg as to the second plea of the said Thomas Snowden above by him pleaded, saith that he ought not to be precluded from having and maintaining his action aforesaid by any thing in the said second plea of the said Thomas Snowden alleged because he saith that the said Thomas Snowden at the time of the impetration of the writ aforesaid in this cause, and since, had in his hands unadministered goods and chattels rights and credits which were of the said Ebenezer Edmonson Orme at the time of his death sufficient to have paid and satisfied the said John Spragg his debt aforesaid to wit at Prince Georges County aforesaid, and this he prays may be enquired of by the Country; and the said Thomas Snowden administrator as aforesaid in like manner and so forth.

And the said Richard Spragg as to the third plea of the said Thomas Snowden above by him alleged saith that he ought not to be precluded from having and maintaining his aforesaid action thereof,

thereof against him the said Thomas Snowden because he says that the said third plea and the matters therein contained are not sufficient in Law to preclude him from having and maintaining the action aforesaid against him the said Thomas Snowden had, to which said third plea in manner and form aforesaid pleaded he the said Richard Spragg hath no necessity, nor is by the Law of the land obliged in any manner to answer and this he is ready to verify wherefore he prays judgment &c. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, and by order of the Court here thereon is further continued until the second Tuesday of October next.

At which said second Tuesday of October being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and eighty nine, come again into the General Court here as well the said Richard Spragg administrator as aforesaid by his said Attornies, as the said Thomas Snowden administrator as aforesaid by his said Attorney; Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, and by order of the Court here thereon is further continued until the second Tuesday of May next.

At which said second Tuesday of May being the Eleventh day of the same month in the year of our Lord one thousand seven hundred and ninety, come again into the General Court here as well the said Richard Spragg administrator as aforesaid by Gabriel Duvall his Attorney, as the said Thomas Snowden administrator as aforesaid by his said Attorney; Thereupon the said Thomas Snowden administrator as aforesaid by his said Attorney suggest to the Court that he cannot safely proceed now here to the trial of this cause because a certain Elizabeth M'Pherson a material and competent Witness in this cause is really wanting, and thereupon prays a further day may be given him for the trial thereof, and files in Court here a certain affidavit, the tenor whereof is as follows to wit.

John Spragg's admnor
ag.
Thomas Snowden admr of Orme

The Deft. in this cause makes Oath on the Holy Evangelists of Almighty God that he believes Elizabeth M'Pherson of Charles County to be a material Witness for him in this cause, to prove the Confession of Ebenezer Edmonson Orme that previous to his Marriage with Elizabeth Snowden afterwards Orme, to whom this Defendant is Executor, he had executed a Marriage Settlement for securing to the said Elizabeth Snowden the sum of two thousand pounds Sterling in view of which the Defendant on,