hundred and ninety comes again as well the said Jane Leggett — administratrix aforesaid by her attorney aforesaid. as the said John — Gardiner Hamilton by his attorney aforesaid. And the said John — Gardiner Hamilton by his attorney aforesaid. as before defends the force and injury when and so forth. and saith that the said Jane her execution aforesaid for her damages costs and charges aforesaid against him the said John to have and maintain ought not because he saith that there is not any such Record of the Judgment aforesaid and recovery aforesaid in the same General Court for the Western Shore of the State of Maryland here remaining as the said Jane by her writ aforesaid hath above supposed. and this he is ready to verify wherefore he prays Judgment if the said Jane her execution aforesaid for her Damages costs and charges aforesaid against him the said John to have and maintain ought and so forth

And the said John by leave of the Court here and according to the form and effect of the Statute in such case made and provided comes and further defends the force and injury when and so forth. and saith that the said Jane her execution aforesaid for her Damages costs and charges aforesaid against him the said John to have and maintain ought not because he saith that after the recovery of the Judgment aforesaid in the writ of Scire facias above mentioned and before the issuing of the said writ of Scire facias to wit on the day of at the county aforesaid he paid to the said Jane the aforesaid sum of three hundred and forty one pounds nine shillings and three pence current money certain Damages as also six hundred and eighty nine pounds of tobacco cost of suit aforesaid which the said Jane then and there received in full satisfaction and discharge of the Judgment aforesaid. and this he is ready to verify wherefore he prays Judgment if the said Jane her — Execution aforesaid against him the said John to have and maintain ought and so forth

And the aforesaid Jane Leggett administratrix aforesaid saith that she by any thing by the said John in his first plea above alledged from having her execution against the said John for the damages costs and charges aforesaid to be precluded ought not because she saith that there is such a Record of the Judgment aforesaid and Recovery of the Damages costs and charges as she by the writ of Scire facias aforesaid above doth suppose as appears of Record in the aforesaid Term in the General Court at the City of Annapolis

and prays that the records of that term may be inspected by the court and so forth

And the aforesaid Jane further saith that she by any thing by the said John in his second plea above alledged from having her execution aforesaid thereof against the said John to be precluded ought not because she saith that the said John did not pay unto her the aforesaid sum of three hundred and forty one pounds nine shillings and three pence current money and the aforesaid sum of six hundred and eighty nine pounds of tobacco in the Scire facias aforesaid mentioned or either of them in manner and form as the aforesaid John by his second plea above doth alledge, and this she prays may be enquired of by the country. and the said John Gardiner Hamilton in like manner and so forth

Therefore let a Jury thereupon appear before the Judges of our General Court here on the second tuesday of May next, by whom &c and who neither &c to recognize &c because as well &c the same day is given to the said parties then and there &c

And now here at this day to wit the said second Tuesday of May being the tenth day of the same Month Anno Domini seventeen hundred and ninety comes again as well the said Jane Leggett administratrix aforesaid by her attorney aforesaid as the said John Gardiner Hamilton by his attorney aforesaid. Nevertheless the aforesaid John Gardiner Hamilton by his attorney aforesaid relinquishing the averments aforesaid above by him pretended says that he cannot deny the action aforesaid of the aforesaid Jane Leggett administratrix aforesaid so as aforesaid against him brought nor but that there is record of such Recovery aforesaid. nor but that the said Jane Leggett administratrix aforesaid ought to have her execution — against him the said John Gardiner Hamilton for the Damages costs and charges above specified. and because the said John Gardiner Hamilton doth not deny, but the allegations aforesaid are true she prays Judgment for execution for the Damages costs and charges aforesaid.

Therefore it is considered by the Judges here that the said Jane Leggett administratrix aforesaid have her execution — against the said John Gardiner Hamilton. for as well the aforesaid sum of three hundred and forty one pounds nine shillings and three pence current money the damages aforesaid and six hundred and eighty nine pounds of tobacco costs

and