Howard surviving executor as aforesaid ought not to have his execution against him the said George Mansell for the debt, damages costs and charges aforesaid in the writ of scire facias aforesaid mentioned because he says that after the Recovery of the Judgment aforesaid in the writ of Scire facias aforesaid above mentioned and before the issuing of the said writ of Scire facias to wit on the first day of January in the year of our Lord one thousand seven hundred and ninety he the said George Mansell paid to the said Joshua Howard surviving executor as aforesaid the said sum of fifty eight pounds twelve shillings and six pence current money, and the quantity of eight hundred and fifty seven pounds of tobacco in full satisfaction and discharge of the Judgment aforesaid in the said writ of Scire facias above mentioned to wit at Montgomery County aforesaid which said sum of fifty eight pounds twelve shillings and six pence current money and quantity of eight hundred and fifty seven pounds of tobacco the said Joshua Howard surviving executor as aforesaid then and there received and accepted in full satisfaction and discharge of the Judgment aforesaid and this he the said George Mansell is ready to verify wherefore he prays Judgment whether the said Joshua Howard surviving executor as aforesaid -- ought to have his execution aforesaid against him for the debt --- damages costs and charges aforesaid &c. And the said Joshua Howard surviving executor as aforesaid says that he by any thing by the said George Mansell in his first plea above alledged from having his execution against the said George Mansell for the debt damages costs and charges aforesaid in the writ of Scire facias aforesaid mentioned to be precluded or delayed ought not because he saith that there is such Record of the said Judgment and recovery by him the said -- Joshua Howard surviving executor as aforesaid against him the said George Mansell of the debt damages costs and charges aforesaid in the writ of Scire facias aforesaid above mentioned now remaining in the General Court here to wit at the City of Annapolis aforesaid as he by the writ of Scire facias aforesaid above doth suppose as appears of Record in the said Term in the General Court here; and this he prays may be enquired of by the said Record. and the said George Mansell doth the like and so forth. And the said Joshua Howard surviving executor as aforesaid says that he by any thing by the said George Mansell in his second plea above alledged from having his execution against the said George Mansell for the debt damages costs and charges aforesaid in the writ of scire facias aforesaid above mentioned to be precluded or delayed ought not because protesting that he the said Joshua Howard --- surviving executor as aforesaid did not receive of him the said George Mansell the said sum of fifty eight pounds twelve shillings and six pence current

money and quantity of eight hundred and fifty seven pounds of tobacco in full satisfaction and discharge of the Judgment aforesaid in the said writ of scire facias above mentioned as the said George Mansell by his said plea hath alleged for plea nevertheless by way of Replication the said Joshua Howard surviving executor as aforesaid says that after the recovery of the Judgment aforesaid and before the issuing of the said writ of Scire facias to wit on the said first day of January in the year of our Lord one thousand seven hundred and ninety he the said George Mansell did not pay and satisfy to him the said Joshua Howard surviving executor as aforesaid the said sums of fifty eight pounds twelve shillings and six pence current money and --- quantity of eight hundred and fifty pounds of tobacco in full satisfaction and discharge of the Judgment aforesaid in manner and form as the said George Mansell by his said second plea hath alledged. and this the said Joshua Howard surviving executor as aforesaid prays may be enquired of by the Country and so forth, and the said George Mansell in like manner and so forth. And because the Court here are not yet ready to inspect and ----- examine the Record aforesaid and to give their Judgment of and upon the premises aforesaid whereof the parties aforesaid have put themselves on the Judgment of the Court, a day is therefore given to the parties aforesaid until the second Tuesday of May next to hear thereof their Judgment of that space for that the Court here are not yet and so forth, and as to the trial of the issue aforesaid between the parties aforesaid above joined to be tried by the Country, let a Jury thereon appear before the Court here on the same day 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 at this day to wit the said second Tuesday of May being the tenth day of the same month in the year of our Lord one thousand seven hundred and ninety one come again into the General Court here the parties aforesaid by their respective attornies aforesaid and the said George Mansell by his attorney aforesaid relinquishing the averments aforesaid above by him pretended and alledged says that he cannot deny but there is such a Record of the said Judgment and recovery against him the said George Mansell of the debt damages costs and charges aforesaid in the writ of Scire facias aforesaid above mentioned nor but that the said Joshua --- Howard ought to have his execution against him the said George Mansell for the debt damages costs and charges aforesaid in the said writ of Scire facias above specified

Memorandum Fiat for Execution rendered in this cause on the twelfth day of May in the year of our Lord one thousand seven hundred and ninety one for the sum of fifty eight pounds twelve shillings and six pence current

(money