the said Benjamin Burgess cease;

And the said John who hath survived the said Benjamin by his attorney comes and defends the force and injury when and so forth and saith that the said John, Abraham, Richard, Edmond, Samuel, Edward and Thomas ought not to have or maintain their Action aforesaid thereof against him because she saith that the said Benjamin and the said John who the said John hath survived never were nor were either of them Executors of the Testament and last will of the aforesaid Ann Gott nor any of the Goods or Chattels which were of the aforesaid Ann Gott at the time of her death as Executors of the Testament and last Will of the aforesaid Ann Gott after the death of her the said Ann Gott they or either of them ever did administer and this he is ready to verify wherefore he prays Judgment if the said John, Abraham, Richard, Edmund, Samuel, Edward and Thomas ought to have or maintain their Action aforesaid thereof against him.

And the said Plaintiffs say that by any thing in the plea of the said John above pleaded to be precluded from having and maintaining their said action they ought not because they say that the said John Chew and Benjamin Burgess now deceased and whom the said John hath survived after the death of the said Ann and before the suing of the writ of them the said Plaintiffs in this cause to wit on the day of at Ann Arundel County aforesaid divers goods and Chattels, which were of the said Ann at the time of her death as Executors of the said Ann Gott administered and this the said plaintiffs pray may be enquired of by the Country and so forth, and the said John in like manner and so forth.

Therefore let a Jury thereon appear before the Court here on the second Tuesday of 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 Parties aforesaid then and there and so forth.

And now here at this day to wit the said second Tuesday in May being the thirteenth day of the same month in the year of our Lord One thousand seven hundred and ninety four, come again into the General Court here as well the said Plaintiffs by their Attorney aforesaid as the said John surviving Executor of Ann Gott by his attorney aforesaid;

and

And the said John Chew surviving Executor aforesaid by his attorney aforesaid relinquishing the averment aforesaid above by him pretended says that he cannot deny the action aforesaid of the aforesaid Plaintiffs so as aforesaid against him brought nor but that he detains from the aforesaid Plaintiffs the aforesaid sum of One hundred and sixty three pounds eighteen shillings and ten pence half penny Current Money in manner and form aforesaid so as the aforesaid Plaintiffs above against him have declared.

Therefore it is considered by the Court here that the aforesaid Plaintiffs recover against the said John Chew Surviving Executor aforesaid as were the sum of One hundred and sixty three pounds eighteen shillings and ten pence half penny Current Money their Debt aforesaid in Form aforesaid confessed as the quantity of Six hundred and seventy four pounds of Tobacco by the Court here unto the aforesaid Plaintiffs on their Assent adjudged for their Damages sustained as were 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; & for terms of the work and chattels which of years of the said Ann at the time of her death in the hands of the said John remaining to be administered, the said John is not to be much than the damages, & the charge to be levied of his proper goods & chattels &c. and the said John surviving Executor aforesaid in Mercy and so forth —

Memorandum, Judgment rendered in this Cause on the twenty seventh day of May in the year of our Lord One thousand seven hundred and ninety four for the Penalty of the Bond and Costs of suit and the Plaintiffs agrees to release the Penalty upon the payment of Principal Interest and Costs and agrees to stay Execution until the first day of January next, Payment if any to be allowed.

Test, John Irvin, Clk.

M.S. Elizabeth Ridgate Amor. of Thomas H. Ridgate use of Thomas Fitzsimons
vs
J.C. Henry Maddocke.
P.B.K.

Be it Remembered that heretofore, to wit, on the fourteenth day of March in the year of our Lord One thousand seven hundred and ninety three the said Elizabeth Ridgate Administrator of Thomas Hon. Ridgate by William Pinkney her attorney, sued out of the General Court here, the writ of the State of Maryland of Scirefacias directed to the Sheriff of Charles County in the words and figures following, to wit: — The State of Maryland, ss. To the Sheriff of Charles County, Greeting: Whereas at a General Court held at the City,