fourth day of January next ensuing, and the same Goods Chattels and Credits and all other the Goods Chattels and Credits of the said deceased at the time of his death which at any time after shall come to the hands or possession of the said Elijah Gaither or into the hands and possession of any other person or persons for him, do well and truly administer according to Law, viz: shall pay the Debts of the said deceased so far forth as the said Goods Chattles and Credits will extend and the Law will charge; And further do make or cause to be made a true and just Account of his said Administration at or before the fourth day of October 1798. next, and all the rest and residue of the said Goods Chattles and Credits which shall be found remaining upon the said Executors Account the same being first examined and adjudged by the Justices for the time being of the said Court do distribute or dispose of according to Law and the true Intent and meaning of the last Will and Testament of the said deceased then this obligation to be void and of none effect or else to remain in full force and virtue. Elijah Gaither (seal)

Signed sealed and delivered in the presence of Thos. Gassaway } Rezin Hammond (seal) G. Duvall. (seal)

In Testimony that the within and foregoing is a true Copy from the Original I have hereto set my hand and affixed my Seal of Office this 18th. day of January in the year of our Lord 1793. Jno. Gassaway Reg Wills A.A.Co.

(seal)

which being read and heard the aforesaid Gabriel Duvall in his proper person as before defends the force and injury when and so forth, and prays leave of the Court to Imparle hereunto until next Court, and he hath it, the same day is given to the aforesaid Zebulon Hollingsworth Attorney for the said State, who for the said State in this behalf prosecuteth also.

At which said next Court, to wit, the second Tuesday of October being the eighth day of the same month Anno Domini seventeen hundred and ninety three comes again here into our General Court as well the aforesaid Zebulon Hollingsworth Attorney for the said State, who for the said State in this behalf prosecuteth as the aforesaid Gabriel Duvall in his proper person, And the aforesaid Gabriel Duvall in his (proper)

proper person as before defends the force and injury when and so forth, and prays further leave of the Court to Imparle hereunto, until next Court, and he hath it, the same day is given to the aforesaid Zebulon Hollingsworth Attorney for the said State, who for the said State in this behalf prosecuteth also.

At which said next Court, to wit, the second Tuesday of May being the thirteenth day of the same month Anno Domini seventeen hundred and ninety four comes again here into our General Court as well the aforesaid Zebulon Hollingsworth Attorney for the said State who for the said State in this behalf prosecuteth, as the aforesaid Gabriel Duvall in his proper person, And the aforesaid Gabriel Duvall in his proper person as before defends the force and injury when and so forth, and prayeth an hearing of the writing obligatory aforesaid and the Condition thereof and to him they are read; which being read and heard, the said Gabriel saith that the said State its Action aforesaid thereof against him to have or maintain ought not, because he saith that from the time of making the writing obligatory aforesaid, he the said Elijah Gaither hath hitherto faithfully observed and fulfilled all and every thing in the Condition aforesaid mentioned on his part to be performed observed and fulfilled according to the form and effect of the said Condition, And this he is ready to verify, wherefore he prays Judgment if the said State its Action aforesaid thereof against him to have or maintain ought and so forth.

And the said Zebulon Hollingsworth Attorney for the said State in this behalf saith, that the said State by anything by the aforesaid Gabriel in his plea above alledged from having and maintaining the Action aforesaid against him the said Gabriel to be precluded ought not because protesting that the aforesaid Elijah in the Condition of the said writing obligatory mentioned hath not performed any thing in the Condition aforesaid above specified on his part to be performed according to the form and effect of the Condition aforesaid as the said Gabriel hath above alledged for plea Nevertheless the said Zebulon Hollingsworth who on behalf of the said State in this Instance prosecuteth by replying saith, that at a General Court of the State of Maryland begun and held at the City of Annapolis for the Term of May in the year of our Lord one thousand seven hundred and ninety two before Samuel Chase Gentleman then (Chief)