Griffith executors of the last will and Testament of Henry Griffith senior late of Montgomery County deceased if they shall be found in your bailiwick and them safe keep so that you have their bodies before the Judges of our General Court to be held at the city of Annapolis on the second Tuesday of October next to answer unto Henry Griffith Junior of a plea of Trespass on the case and so forth. Hereof fail not at your peril and have you then and there this writ. Witness the honorable Samuel Chase Esquire chief Judge of our said Court the 31st day of May. anno Domini 1795.

Issued the 16th day of September 1795. John Gurney Clk.

R.R.

And the said Henry Griffith Junior by his attorney aforesaid on the day of the date of the aforegoing writ declares against the said Philemon Griffith and Joshua Griffith Executors of Henry Griffith Senior in the plea aforesaid in form following to wit.

Western Shore of Maryland Montgomery County to wit

Philemon Griffith and Joshua Griffith executors of the last will and testament of Henry Griffith senior late of Montgomery County deceased were attached to answer unto Henry Griffith Junior of a plea of Trespass on the case and so forth. And thereupon the said Henry Griffith Junior by Richard Ridgely his attorney complains that whereas the aforesaid Henry Griffith senior in his lifetime to wit on the first day of January in the year Seventeen hundred and ninety two at Montgomery County aforesaid was indebted unto the said Henry Griffith Junior in the sum of three hundred pounds Current money for money by the said Henry Griffith Junior before that time lent and advanced to the said Henry Griffith Senior in his lifetime and at his special instance and request, and being so indebted he the said Henry Griffith Senior in consideration thereof afterwards to wit on the same day and year aforesaid at the County aforesaid undertook and faithfully promised the said Henry Griffith Junior to pay him the aforesaid sum of money when he the said Henry Griffith senior should be thereto afterwards requested: yet the said Henry Griffith Senior in his lifetime not regarding his promise and undertaking so by him made in this behalf hath not in his lifetime paid the aforesaid sum of money to the said Henry Griffith Junior altho often thereto requested neither have the said Philemon and Joshua Since the death of the said Henry Griffith senior paid to the said Henry Griffith Junior the aforesaid sum of Current money or any part thereof

(to)

(to which said Philemon and Joshua Letters testamentary on the personal estate of the said Henry Griffith senior were in due form of law committed) and the said Philemon and Joshua still do refuse to pay the aforesaid sum of Money to the damage of the said Henry Griffith Junior in the sum of Five Hundred pounds Current money and therefore he brings suit and so forth. and brings here into Court the Letters Testamentary aforesaid whereby it appears to the Court here that the said Philemon and Joshua have administration and so forth.

Rd Ridgely ffs plff pltdg. &c. John Doe and Rd Roe

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 ninety five. and the day of the return of the aforegoing writ, comes into the General Court here as well the said Henry Griffith Junior by his attorney aforesaid. and the sheriff of Montgomery County to whom the said writ was in form aforesaid directed makes no return to the Court here. Nevertheless the said Philemon Griffith and Joshua Griffith Executors of Henry Griffith senior by Philip Barton Key their attorney Volantarily appears in Court here; Thereupon the parties aforesaid by their attornies aforesaid move the Court here that the whole matter in the premises between them in variance may be referred according to the act of assembly in such Case made and provided. to persons indifferently to be appointed by the Court here with the consent of the said parties to adjust the same; Whereupon by Consent of the said parties by their attornies aforesaid it is ruled by the Court here that John Sprigg Bolt and Dennis Griffith Gentlemen be appointed referees between the parties aforesaid and in their disagreeing to choose a third person, and that they or any two of them when the whole matter concerning the premises between the parties aforesaid in variance being fairly adjusted, have their award in writing under their hands and seals, and return the same to the Court here and judgment of the Court to be rendered according to such award. and be final between the said parties, with power to said referees to examine evidences on oath by consent of both parties and their attornies. Thereupon day is given as well to the plaintiff as the Defendants by their attornies until the second Tuesday of may next.

At which day to wit the second Tuesday of May being the tenth day of the same month in the year of our Lord one Thousand Seven hundred and ninety six. Came here the parties aforesaid by their attornies aforesaid: Thereupon the said arbitrators pursuant to the order aforesaid return to the Court here their award in manner and form following to wit.

(Ge)