although often required the said sum of five Hundred and twenty three pounds nine shillings and four pence unto the said James Franklin in his life time or to Thomas Franklin and Benjamin Franklin both deceased and the said Sarah Smith or to either of them after the death of the said James Franklin during the lifetime of the said Thomas Franklin and Benjamin Franklin or to the said Sarah Smith and Thomas Franklin or to either of them after the death of the said Benjamin Franklin whom they the said Sarah Smith and Thomas Franklin survived during the lifetime of the said Thomas or to the said Sarah Smith after the death of the said Thomas Franklin whom she the said Sarah Smith hath survived (to which said Thomas Franklin and Benjamin Franklin in their lifetime and the said Sarah Smith administration of all and singular the goods chattels and credits which belonged to the said James Franklin at the time of his death afterwards to wit on the Eleventh day of January in the year of our Lord one Thousand seven hundred and ninety four at Baltimore County to wit at Harford County aforesaid was committed in due form of Law) hath not paid but the same to the said James Franklin in his lifetime or to the said Thomas Franklin Benjamin Franklin and Sarah Smith or to either of them after the death of the said James Franklin during the lifetime of the said Benjamin or to the said Thomas and Sarah after the death of the said Benjamin whom they the said Thomas and Sarah survived or to either of them or to the said Sarah after the death of the said Thomas whom she the said Sarah hath survived hath refused to pay and the said David Lee doth still refuse to pay the same to the said Sarah and unjustly detains the same in delay of the administration aforesaid and to the Damage of the said Sarah one hundred pounds of like current money aforesaid and therefore she brings her suit and so forth. and the said Sarah brings here into Court the said Letters of Administration which the commission of of the said Administration to the said Thomas and Benjamin and the said Sarah in form aforesaid which bear date on the day and year last above mentioned.

Samuel Johnston for the plaintiff. pledges to prosecute { John Doe and Richard Roe

Copy of the Writing Obligatory and the condition thereof

Know all men by these presents that I David Lee of Harford County am held and firmly bound unto James Franklin in the full and just sum of five hundred twenty three pounds nine shillings S.T. to be paid to the said James Franklin his certain attorney Executors administrators or assigns To which payment well and truly to be made and done I bind myself my heirs Executors and administrators firmly by these presents Sealed with my Seal and dated this fifteenth day of may anno Domini one Thousand seven hundred and ninety three.

(The)

The condition of the above obligation is such that if the above bound David Lee do and shall well and truly pay or cause to be paid unto the said James Franklin his certain attorney Executors administrators or assigns the just and full sum of two hundred sixty one pounds fourteen shillings and eight pence current money with legal Interest for the same without fraud or further delay then the above obligation to be void else to remain in full force and Value in Law.

Signed Sealed and Delivered in the presence of Israel Wilson. } David Lee (Seal)

At which said Second Tuesday of May being the twelfth 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 the said Sarah Smith Surviving administratrix as aforesaid by her attorney aforesaid and the sheriff of Harford County to whom the said writ was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit.

Capi Nihil Sarah Smith Exec. 5th May 1795.

And the said David Lee by William Pinkney his attorney appears in court here and thereupon on motion of the said Sarah Smith by her attorney aforesaid it is ruled by the court here that the said David Lee give special bail in the plea aforesaid: Whereupon the said David Lee by his attorney aforesaid files in court here the following bail piece to wit.

Sarah Smith Surviving adm. of James Franklin Plaintiff } You Jacob Stoning Benjamin Preston do jointly and severally acknowledge yourselves special bail for David Lee at the suit of Sarah Smith Surviving administratrix of James Franklin in an action of Debt brought by the said Sarah Smith adm. as aff. against the said David Lee in the General Court to may Term 1795 They acknowledge themselves content therewith this 5th day of May 1795 before Sa. Bond Jno Weston

David Lee Defendant

To the Honourable Judges of the General court. I hereby empower authorise and appoint William Pinkney Esquire to appear for me in the above suit as Witness my hand and seal this fifth day of may 1795.

Witness Ja Bond Jno Weston David Lee (Seal)

And thereupon on motion of the said Sarah Smith surviving administratrix as aforesaid by her attorney aforesaid, it is ruled by the court here that the said David Lee answer to the Declaration aforesaid of the said Sarah Smith in the plea aforesaid, a Judgment will be entered against him in default thereof; and the said David Lee by his attorney aforesaid defends the force and injury when and so forth; and prays leave of the court here to imparle until the second Tuesday of October next and then to answer to the Declaration aforesaid and to him it is granted the same day is given to the said Sarah Smith Surviving administratrix as aforesaid also.

(At)