County were summoned to answer unto Walter Brooke Executor of the last will and testament of Sarah Martin late of Charles County deceased in a plea that they render unto him the full and just sum of two hundred and thirty five pounds eight shillings and eight pence Current money which from him they unjustly detain and soforth.

And Whereupon the said Walter by Philip Barton Key his attorney saith that whereas the aforesaid Thomas Contee Alexander Contee and Benjamin Contee by the name of Thomas Contee and Sons of Baltimore Town and State of Maryland Merchants on the twenty eighth day of August seventeen hundred and Eighty four by their certain bill obligatory sealed with the seal of the said Thomas Alexander and Benjamin and Thomas Dent under the firm of Thomas Dent and Company as Attorney and agent for the aforesaid Thomas Contee and sons and which is herewith into Court brought whose date is on the day and year aforesaid acknowledged themselves to owe and stand justly indebted to the aforesaid Sarah Martin in her Life time in the full and just sum of one hundred and seventeen pounds current money to be paid to the said Sarah Martin on or Before the twenty fifth day of December next ensuing in the penal sum of two hundred and thirty five pounds eight shillings and eight pence Current money and the aforesaid Walter in fact saith that although the aforesaid Thomas Alexander and Benjamin hath been often requested by the said Sarah in her life time, to wit on the day and year aforesaid and often afterwards at the County aforesaid to pay the aforesaid sum of one hundred and seventeen pounds fourteen shillings and four pence Current money, yet the said Thomas Alexander and Benjamin did not render or pay the same or any part thereof which to her the said Sarah according to the form and Effect of the aforesaid Bill they ought to have paid whereby action accrued to her the said Sarah in her life time to have and demand of them the said Thomas Alexander and Benjamin the aforesaid sum of two hundred and thirty five pounds eight shillings and Eight pence Current money. Nevertheless the aforesaid Thomas Alexander and Benjamin (altho often thereto requested by the said Sarah in her life time and by the said Walter since her death) the aforesaid sum of two hundred and thirty five pounds eight shillings and eight pence Current money to the said Sarah in her life time or to the said Walter since her decease hath not Contented or paid, but the same to pay or in any wise Content to the said Sarah in her life time they have altogether refused and still do refuse to pay the same or any part thereof

to

To him the aforesaid Walter since the death of her the said Sarah wherefore the said Walter saith that he is injured in the sum of three hundred pounds Current money and therefore he brings his suit and soforth and brings here Into Court here, that the aforesaid Walter is Executor of the last will and Testament aforesaid and thereupon has administration and soforth.

Philip Barton Key for Plff. } John Doe and
Redges & Co. } Richard Roe.

Oyer of the Bill

Know all men by these presents that we Thomas Contee and Sons of Baltimore Town and State of Maryland merchants do owe and stand justly Indebted to Sarah Martin of Charles County and State aforesaid in the full and just sum of one hundred and seventeen pounds fourteen shillings and four pence Current money, which we promise and engage to pay on or before the 25th Decemr. next ensuing, in the penal sum of two hundred and thirty five pounds eight shillings and Eight pence Curr. money, as aforesaid it being for value received Given under our hand and Seal this 28th August 1784.

Witness Present } Thom. Dent & Co. (Seal)
W. Smallwood } for Thomas Contee & Sons.

A Copy of which aforegoing Declaration and oyer was made and sent with the writ which issued in the plea aforesaid, And a Duplicate of the aforegoing writ, together with Copies of the aforegoing Declaration and oyer were also made and directed to the Sheriff of Charles County.

At which mentioned second Tuesday of May, being the thirteenth day of the same month Anno Domini seventeen hundred and ninety four and the day of the return of the aforegoing writ comes here into our General Court the aforesaid Walter Brooke Executor aforesaid by Philip Barton Key his Attorney aforesaid and the Sheriff of Prince Georges County to whom the said aforegoing writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit. Cepi Thomas Contee Copy left 11th March 1794. Non Inventus the rest

Wm. J. Jackson Sheriff.

And the Sheriff of Charles County to whom a Duplicate of the said aforegoing writ was also made and directed likewise comes and makes return thereof, to the Court here, thus endorsed to wit.

Cepi Benjamin, Non Inventus the rest. Copy left the 20th February

James Simms Sheriff.

And the said Thomas Contee by William Cooke his attorney comes and defends the force and injury, when and soforth and prayeth Oyer of the writing obligatory aforesaid and of the Condition thereof which being read

he