said Court, the 29th day of January Anno Domini seventeen hundred and ninety eight.

Issued the twelfth day of March 1798 M Cooke Jno Greenn Clk.

At which mentioned second Tuesday of May being the eighth day of the same month in the Year of our Lord one thousand seven hundred and ninety eight; and the day of the return of the aforegoing Writ comes into the General Court here, the aforesaid Rebecca Dulany Executrix as aforesaid by William Cooke her Attorney aforesaid; and the Sheriff of Frederick County; to wit Abner Ritchie Gentleman to whom the said aforegoing Writ was in form aforesaid directed, likewise comes and makes return thereof, to the Court here thus endorsed, to wit,

"21st March 1798. Made known before John May & Henry Hershberger
"Abner Ritchie Shff of Frederick County"

And the said William Duvall by Arthur Shaaff and John Johnson his Attornies appears in Court here; And thereupon on Motion of the aforesaid Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid. It is ruled by the Court here that the said William Duvall answer to the Scire facias aforesaid of the aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid or Judgment by the Court here will be rendered against him in default thereof; And the said William Duvall by his attornies aforesaid defends the force and injury when and soforth, and prays leave of the Court here to Imparle until the second Tuesday of October next, and then to answer to the Writ of Scire facias aforesaid of the aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid; and to him it is granted, the same day is given to the aforesaid Rebecca Dulany Executrix as aforesaid also.

At which said second Tuesday of October being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, to which said day the said William has leave to Imparle and then to answer to the Writ of Scire facias aforesaid of the aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid comes again into the General Court here as well the aforesaid Rebecca Dulany Executrix as aforesaid by his Attorney aforesaid, as the said William Duvall by his attornies aforesaid; And the said William by his Attorney's aforesaid is before defends the force and injury when and soforth, and says that the aforesaid Rebecca Dulany Executrix as aforesaid ought not to have her Execution against him for the said sum of Two thousands one hundred and sixty six pounds

(thirteen)

thirteen shillings and four pence Current Money and the said quantity of Eight hundred and thirty three pounds and two fifths of a pound of Tobacco in the Writ of Scire facias aforesaid mentioned by vertue of the Judgment aforesaid, because he says that there is no such Record of the Recovery against him the said William Duvall of the Debt damages and Costs aforesaid in the Writ of Scire facias aforesaid mentioned as the aforesaid Rebecca Dulany Executrix as aforesaid hath alledged; and this he is ready to verify, wherefore he prays Judgment if the aforesaid Rebecca Dulany Executrix as aforesaid ought to have her execution aforesaid for the said sum of Two thousand one hundred and sixty six pounds thirteen shillings and four pence Current Money and quantity of Eight hundred and thirty three pounds and two fifths of a pound of Tobacco by vertue of the Judgment aforesaid against him and soforth.

And the said William Duvall with the leave of the Court for that purpose first had and obtained according to the form of the Statute in such case made and provided further says that the aforesaid Rebecca Dulany Executrix as aforesaid ought not to have her execution against him for the said sum of Two thousand one hundred and sixty six pounds thirteen shillings and four pence Current Money and quantity of Eight hundred and thirty three pounds and two fifths of a pound of Tobacco in the Writ of Scire facias aforesaid mentioned because he says that after the recovery of the Judgment aforesaid in the Writ of Scire facias aforesaid mentioned and before the issuing of the said Writ of Scire facias to wit on the Eleventh day of March in the year of our Lord one thousand seven hundred and ninety eight, he the said William Duvall paid to the aforesaid Rebecca Dulany Executrix as aforesaid the said sum of Two thousand one hundred and sixty six pounds thirteen shillings and four pence Current Money and quantity of Eight hundred and thirty three pounds and two fifths of a pound of Tobacco in satisfaction and discharge of the Judgment aforesaid to wit, at Frederick County aforesaid which said sum of Current Money and Tobacco the aforesaid Rebecca Dulany Executrix as aforesaid then and there received and accepted in full satisfaction and discharge of the Judgment aforesaid, and this he is ready to verify wherefore he prays Judgment if the aforesaid Rebecca Dulany Executrix as aforesaid ought to have her Execution against him for the Debt and Damages Costs and charges aforesaid and soforth.

And the aforesaid Rebecca Dulany Executrix as aforesaid saith that she by any thing by the said William Duvall in his first plea

(above)