above alledged from having her Execution against the said William Duvall for the Debt, Damages Costs and charges aforesaid to be precluded ought not, because she saith that there is such a Record of the Judgment aforesaid and recovery of the Debt Damages Costs and charges aforesaid as she by the Writ of Scire facias aforesaid above doth suppose as appears of Record in the aforesaid Term in the General Court at Annapolis and prays that the Records of that Term may be inspected by the Court and soforth:

And the aforesaid Rebecca Dulany Executrix as aforesaid says that she by any thing by the aforesaid William Duvall in his second plea above by pleading alledged from having her Execution against him the said William Duvall of her Debt Damages Costs and charges aforesaid by occasion of the Judgment aforesaid to be precluded ought not, because she says that after the recovery of the Judgment aforesaid in the Writ of the Judgment aforesaid in the Writ of Scire facias aforesaid above mentioned and before the issuing of the Writ of Scire facias aforesaid above mentioned to wit on the Eleventh day of March in the year of our Lord one thousand seven hundred and ninety eight at Frederick County aforesaid the said William Duvall did not pay to her 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 the said Writ of Scire facias aforesaid mentioned, in manner and form as the said William Duvall hath above in his said second plea alledged, and of this she prays may be enquired of by the Country, and the said William Duvall in like manner and soforth.

And for trying the issue in fact aforesaid, Therefore let a Jury thereon appear before the Court here on the second Tuesday of May next, by whom and soforth, and who neither and soforth. to recognize and soforth, because as well and soforth. And as well to try the issue first aforesaid whereof the parties aforesaid have put themselves upon the Judgment of the Court here, But because the Court here are not yet advised to give their Judgment of and upon the premises, day therefore is also given to the parties aforesaid to hear their Judgment of that issue before the Court here, untill the said second Tuesday of May next, for that the said Court here thereof as yet are not advised Vc. And now at this day to wit, the said second

(Tuesday of)

Tuesday of May being the fourteenth day of the same month in the year of our Lord one thousand seven hundred and ninety nine, comes again into the General Court here as well the aforesaid Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid, as the said William Duvall by his Attornies aforesaid. Nevertheless the said William Duvall by his Attornies aforesaid relinquishing the averments aforesaid above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Rebecca Dulany Executrix as aforesaid so as aforesaid against him brought, nor but that there is record of such recovery aforesaid; nor but that the aforesaid Rebecca Dulany Executrix as aforesaid ought to have her Execution against him the said William Duvall for the Debt Damages Costs and charges in the writ of Scire facias aforesaid above specified; And because the said William Duvall doth not deny but that the allegations aforesaid are true, the aforesaid Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid prays Judgment for execution for the Debt Damages Costs and charges aforesaid in the Writ of Scire facias aforesaid above specified together with the Costs and charges sustained by the delay of Execution aforesaid to her to be adjudged Vc.

Therefore it is considered by the Court here, that the aforesaid Rebecca Dulany Executrix as aforesaid have her Execution against the said William Duvall for as well the sum of Two thousand one hundred and sixty six pounds thirteen shillings and four pence Current Money Debt and quantity of Eight hundred and thirty three pounds and two fifths of a pound of Tobacco the Damages Costs and charges aforesaid in the Writ of Scire facias aforesaid above specified according to the form and effect of the Recovery aforesaid, And it is farther considered by the same Court that the aforesaid Rebecca Dulany Executrix as aforesaid recover against the said William Duvall the quantity of Six hundred and eighty one pounds of Tobacco for her additional Damages, Costs and Charges sustained by the delay of Execution of the Judgment aforesaid and adjudged by the Court here on her assent, according to the form of the Statute in such case made and provided; And that the aforesaid Rebecca Dulany Executrix as aforesaid have thereof Execution and soforth.

Memorandum, Fiat was rendered in this cause, for the Debt, Damages Costs and charges in the Writ of Scire facias aforesaid mentioned with Costs of Suit on the seventeenth day of May in the year of our Lord one thousand seven hundred and ninety nine, To be released on payment of the sum of two thousand one hundred and seventeen pounds Current

(Money)