this she prays may be enquired of by the Country, And the said Margaret Beall and Upton Beall administrators as aforesaid in like manner &c. And the aforesaid Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid as to the second plea of the said Margaret Beall and Upton Beall administrators as aforesaid by them above pleaded by way of Replication thereunto saith, that she ought not to be precluded from having and maintaining her action aforesaid by any thing in the said second plea of the said Margaret Beall and Upton Beall administrators as aforesaid above alledged, Because she saith that the said Margaret Beall and Upton Beall administrators as aforesaid at the time of the impetration of the Writ aforesaid in this Cause, and since have in their hands unadministered Goods and Chattels which were of the said Brooke Beall at the time of his death sufficient to have paid and satisfied the aforesaid Rebecca Dulany Executrix as aforesaid her Debt aforesaid, to wit. at Montgomery County aforesaid, And of this she prays may be enquired of by the Country, And the said Margaret Beall and Upton Beall administrators as aforesaid in like manner and so forth, Therefore let a Jury thereon appear before the Court here, on the second Tuesday of May next, by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the said parties there and there and so forth.

And now, at this day, to wit, the said second Tuesday of May being the fourteenth day of the same month, in the year of our Lord one thousand seven hundred and ninety nine, come again into the General Court here, as well the aforesaid Rebecca Dulany Executrix as aforesaid by her Attorney aforesaid, as the said Margaret Beall and Upton Beall administrators as aforesaid by their Attorney aforesaid, And the said Margaret Beall and Upton Beall administrators as aforesaid by their Attorney aforesaid relinquishing the averments aforesaid, above by them pretended say, that they cannot deny the action aforesaid of the aforesaid Rebecca Dulany Executrix as aforesaid so as aforesaid against them brought, nor but that the said Brooke Beall in his life time did owe unto the aforesaid Daniel Dulany in his life time the aforesaid sum of Four hundred and fifty eight pounds sixteen shillings and eleven pence farthing Current Money being the value of Two hundred and seventy five pounds six shillings and two pence Sterling Money in manner and form aforesaid so as the aforesaid Rebecca Dulany Executrix as aforesaid above against them hath declared.

(Therefore)

Therefore it is considered by the Court here, that the aforesaid Rebecca Dulany Executrix as aforesaid recover against the said Margaret and Upton Beall administrators aforesaid as well the sum of Four hundred and fifty eight pounds sixteen shillings and eleven pence Current Money being of the Value of Two hundred and seventy five pounds six shillings and two pence Sterling Money her Debt aforesaid in form aforesaid confessed, as the quantity of Eight hundred and seventy nine pounds of Tobacco, by the Court here unto the aforesaid Rebecca Dulany Executrix as aforesaid on her absent adjudged as well for her Damages sustained by reason of the detention of that Debt, as for her Costs and charges by her about her suit, in this behalf laid out and expended; to be levied of the Goods and Chattels, which were of the said Brooke Beall at the time of his death, in the hands of the said Margaret Beall and Upton Beall administrators as aforesaid remaining to be administered, if so much thereof in their hands to be administered they have; and if so much thereof in their hands to be admestered the have not, then the Costs and Charges aforesaid, to be levied of the proper Goods and Chattels of the said Margaret Beall and Upton Beall, And the said Margaret Beall and Upton Beall administrators as aforesaid in Mercy and so forth.

Memorandum, Judgment rendered in this Cause, on the Eighteenth day of May in the year of our Lord one Thousand seven hundred and ninety nine, for the value of penalty of the Bond in Current Money and Costs of Suit, and the plaintiff agrees to release the penalty upon the payment of Principal, Interest, and Costs, and agrees to stay Execution untill the first day of August next; payments if any to be allowed. Test. John Gwinn Clk.

Aza Beall use of Samuel Selby &c. William W. Hoye against Robert B. Beall

Be it remembered that heretofore to wit on the twenty third day of August in the year of our Lord one thousand seven hundred and ninety seven Aza Beall by James Cook his Attorney sued out of the General Court here the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Montgomery County in form following to wit

The State of Maryland } To the Sheriff of Montgomery County Greeting. You are hereby commanded to take Robert Brooke Beall late of Montgomery County Yeoman otherwise called Robert B. Beall of Montgomery County and State of Maryland if he shall be found in your bailiwick and him safe keep so that you have his body before the Judges of the General

(Court)