to the condition thereof ought to have observed performed fulfilled and kept that is to say at the County aforesaid as the said Stephen in the plea aforesaid hath alledged for plea. — Nevertheless the said Rebecca by replying saith that after the making the writing obligatory aforesaid and before the impetration of the writ original of her the said Rebecca in this cause impetrated it was on the Judgment of the General Court and writ of Injunction aforesaid in the said writing obligatory mentioned in such manner proceeded in the High Court of Chancery that afterwards in the said Court of Chancery on the third day of November in the year seventeen hundred and ninety eight the said Injunction was dissolved and the said Rebecca Dulany Executrix of the said Daniel Dulany had leave execution on the said Judgment for the sum of two thousand one hundred and seventeen pounds current money with interest on one thousand and eighty three pounds six shillings and eight pence from the third day of May seventeen hundred and ninety seven and the Costs at law to wit the quantity of eight hundred and thirty three and two fifths of a pound of tobacco and it was then and there considered and adjudged in the said Court of Chancery that the said Rebecca Dulany should recover against the said William the quantity of nine hundred and nineteen pounds of tobacco for his Costs in that behalf laid out and expended by pretence of prosecuting the said writ of Injunction as by the record thereof in the said Court of Chancery remaining more fully appears and the said Rebecca avers that that the said William did not prosecute the said writ of Injunction with effect and that he hath not satisfied or paid to the said Daniel in his life time or to the said Rebecca since his death the said Judgment obtained by the said Daniel in the General Court or the aforesaid quantity of nine hundred and seventeen pounds of tobacco adjudged unto the said Rebecca by the said Court of Chancery upon the dissolution of the said Injunction or either of them or any part thereof: And this the said Rebecca is ready to verify wherefore she prays Judgment and her debt aforesaid with her damages sustained by occasion of the detention thereof to her to be adjudged &c. 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 Stephen Shelmerdine rejoin to the replication of the aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid: and if he doth not rejoin to the said replication of the aforesaid Rebecca Dulany Executrix as aforesaid Judgment will be rendered against him by default. — And the said Stephen Shelmerdine by

his Attornies aforesaid prays leave of the Court here to imparle until the second tuesday of October next to rejoin to the replication of the aforesaid Rebecca Dulany Executrix as aforesaid in the plea aforesaid and he hath it: the same day is given to the aforesaid Rebecca Dulany Executrix as aforesaid then &c. And now at this day to wit the said second tuesday of October being the thirteenth day of the said month in the year of our Lord one thousand eight hundred and one to which said day the said Stephen Shelmerdine had leave to imparle and then to rejoin to the replication 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 her Attorney aforesaid as the said Stephen Shelmerdine by his Attornies aforesaid: Nevertheless the said Stephen Shelmerdine by his Attornies aforesaid relinquishing the averment 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 he owes to the aforesaid Rebecca Dulany executrix as aforesaid the said sum of four thousand three hundred and thirty three pounds six shillings and eight pence current money and two thousand pounds of Tobacco in manner and form aforesaid as the aforesaid Rebecca Dulany executrix as aforesaid above against him hath declared. Therefore it is considered by the Court here that the aforesaid Rebecca Dulany Executrix as aforesaid recover against the said Stephen Shelmerdine as well the sum of four thousand three hundred & thirty three pounds six shillings and eight pence current money and two thousand pounds of tobacco her debt aforesaid in form aforesaid confessed as also the quantity of seven hundred and thirty seven pounds of tobacco by the Court here unto her the aforesaid Rebecca Dulany Executrix as aforesaid on her assent adjudged for her damages which she hath sustained as well by reason of the detention of the said debt as for her costs and charges by her about her suit in this behalf laid out and expended: — And the said Stephen Shelmerdine in Mercy and so forth.

Memorandum Judgment rendered in this Cause on the sixteenth day of October in the year of our Lord one thousand eight hundred and one for the sum of four thousand three hundred and thirty three pounds six shillings and eight pence current money and two thousand pounds of Tobacco the penalty of the bond and costs of suit. To be release on payment of two thousand one hundred and seventeen pounds current money with Interest on one thousand and eighty three pounds six shillings and eight pence current money part thereof from the third day of May one thousand