April Term 1789.

Rose Layton and Purnell Layton Exr of Robert Layton against Mitchell Rufsum, Richard Standford } spba: William Pattison

Be it remembered that on the twentieth day of December in the year Seventeen hundred and Eighty seven Command was given to the Sheriff of Dorchester County to take Mitchell Rufsum late of Dorchester County Gentleman, if he should be found in his bailiwick and him safe keep so as to have his body before the Judges of the General Court to be held for the Eastern Shore of this State at Talbot County Court house, the second Tuesday of April next to answer unto Rose Layton Executrix and Purnell Layton Executor of the last Will and Testament of Robert Layton deceased of a plea that he render unto them the sum of two hundred and thirty pounds Gold or Silver current money of Maryland which from them he unjustly detains &c. Therefore not to fail at your peril, and have you then and there this writ. Witness the honourable Robert Hanson Harrison Esq. Chief Judge of our said Court this twenty eighth day of September Anno Domini 1787.

Issued the 20th day of December 1787. James Earle Clk.

At which day, to wit, the second tuesday in April in the year seventeen hundred and Eighty eight being the day of the return of the foregoing writ came the said Rose Layton and Purnell Layton Exr as aforesaid by Gustavus Scott their Attorney and the Sheriff of Dorchester County aforesaid, to whom the same was directed, likewise came and made return thereof to the Court here thus endorsed, to wit: "Lapi." Thos Lecherman Shff.

And thereupon further process of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties and their Attorneys and by order of the Court here thereon was continued until the second Tuesday in September then next ensuing. At which day, to wit.

The said second tuesday in September Anno Domini Seventeen hundred and Eighty eight, came again the parties afo by their Attorneys

aforesaid, and the said plaintiffs by their Attorney afo. affilled in Court here the following Declaration, to wit.

Maryland, Eastern Shore, Dorchester County, to wit: } Mitchell Rufsum late of Dorchester County Gentleman was summoned to answer unto Rose Layton Executrix and Purnell Layton Executor of the last will and testament of Robert Layton deceased of a plea that he render unto them the sum of two hundred and thirty pounds gold or silver current money of Maryland which from them he unjustly detains &c.

And whereupon the same Purnell & Rose by Gustavus Scott their Attorney say that whereas the afs. Mitchell on the thirteenth day of April in the year seventeen hundred & eighty five at the County afs. by his certain writing Obligatory sealed with the seal of the same Mitchell & here into Court brought the date whereof is the same day and year afs. had acknowledged himself to owe unto the afo Robert in his life time the sum of two hundred & thirty pounds lawful money to be paid to the same Robert whenever after he should be thereunto required to the payment whereof well & truly to be made & done he bound himself his heirs, Executors & Administrators firmly by the same writing Obligatory: Nevertheless the afs. Mitchel (altho' often thereunto required) the afs. sum of money nor any part thereof unto the same Robert in his life time did not pay nor hath he paid the same sum of money to the same Purnell & Rose or either of them since the decease of the same Robert, but altogether did refuse to render or pay the same unto him the same Robert in his life time & hitherto altogether hath refused to pay the same unto them the same Purnell & Rose since the death of the same Robert & still doth refuse to pay the same unto them the same Purnell & Rose or either of them wherefore they say they are the worse & have damage to the value of five hundred pounds current money of Maryland & thereupon they bring suit &c. And doth bring here into Court the Letters testamentary of the afs. Robert whereby it will fully appear to the Court here that the said Purnell & Rose are Executors of the Testament afs. and that they have thereof Administration &c. G. Scott. Pledges { John Doe. Richard Roe.