Philemon Green Exr. of Levin Downes against James Earle and William Bruff

Be it remembered that on the fifteenth day of March Anno Domini One thousand Seven hundred & eighty nine command was given to the Sheriff of Queen Anns County that he should take William Bruff late of Queen Anns County Planter if he should be found in his Bailiwick, and him safe keep so that he might have his body before the Judges of our General Court, to be held for the Eastern Shore of this State at in Talbot County, at the Court House in the same County, the Second Tuesday of April then next, to answer unto Philemon Green Executor of the Testament and last Will of Levin Downes of a plea that he render unto him the Sum of three hundred pounds Current Money which to him he owes and unjustly detains &c. And that thereof he the said Sheriff should not fail at his Peril & that he should have then & there that Writ &c. so forth. — And now here at this day, to wit, The said Second Tuesday of April in the year of our Lord One thousand Seven hundred & eighty nine, being the day of the return of the aforesaid writ comes the said Philemon by Robert Wright his Attorney, and the Sheriff of Queen Anns County aforesaid to whom the said writ was directed likewise comes and makes return thereof to the Court here thus endorsed, to wit "Cepi Corpus Jon.n Seney Shff Qn: A. County." And the said Philemon by his said Attorney affiles in Court here his declaration in the Plea aforesaid against the said William, which ensues in manner and form following, to wit —

"The Eastern Shore of Maryland to wit, William Bruff late of Queen Anns County Planter, was summoned to answer unto Philemon Green Executor of the Testament & last Will of Levin Downes of a plea that he render unto him the Sum of three hundred pounds Current Money which to him he owes and unjustly detains &c. And whereupon the aforesaid Philemon Green by Robert Wright his Attorney saith that Whereas the aforesaid William Bruff on the fifteenth day of August in the year of our Lord One thousand Seven hundred and eighty three at Queen Anns County by his certain writing Obligatory acknowledged himself to be held and firmly bound unto the aforesaid Levin Downes in his life time in the just & full sum of One hundred and fifty pounds current Money, to be paid unto the said Levin

when he should thereunto afterwards required. Nevertheless the aforesaid William Bruff although often thereunto required the aforesaid sum of money to the aforesaid Levin Downes in his life time or to the aforesaid Philemon Green since the death of the said Levin (to which same Philemon Administration of all and singular the Goods, Chattels and Credits which were of the said Levin at the time of his Death, after his death, to wit, the day of in the year of our Lord One thousand Seven hundred and eighty at Queen Anns County by Solomon Clayton Gentleman Deputy Commissary of said County lawfully commissioned and Qualified, to whom the Commission of that Administration did of right belong; was in due form of Law committed) hath not rendered or paid, but the same to the said Levin in his Life time, and to the aforesaid Philemon since the death of the said Levin, to render or pay hath hitherto altogether refused, and to the aforesaid Philemon still doth refuse to the Damage of the said Philemon three hundred pounds money aforesaid and therefore he brings suit and so forth, and he brings here into Court the Writing obligatory aforesaid sealed with the seal of the said William which the Debt aforesaid in Form aforesaid witnesseth, the date whereof is the Day and Year aforesaid and so forth. —

Rob Wright for Plaintiff. — Pledges &c. Jno. Doe & Richd Roe.

And the said Philemon Green Admr as aforesaid by his said Attorney affiles the following Bill of Privilege, to wit, "To the Honourable the Judges of the General Court of the State of Maryland, to wit of the Eastern Shore of Maryland. — Philemon Green, Administrator of Levin Downes late of Queen Anns County Gentleman deceased, by Robert Wright his Attorney complains of James Earle, Clerk of said Court, here in said Court present in his proper person, for that the said James on the fifteenth day of August in the year Seventeen hundred and eighty three at Queen Anns County by his certain Writing Obligatory acknowledged himself to be held and firmly bound unto the aforesaid Levin in his life time, in the just and full sum of One hundred and fifty pounds current money to be paid unto the aforesaid Levin when afterwards he should thereunto be required. Nevertheless the aforesaid James although often thereunto required the aforesaid sum of One hundred and fifty pounds current money to the aforesaid Levin in his life time or to the aforesaid Philemon since the Death of the said Levin (to which same Philemon, Administration of all and singular the Goods, Chattels, and Credits which were of the said Levin at the time of his Death, after the death of the said Levin, at Queen Anns County aforesaid in due form of Law was committed) hath not rendered or paid but the same to the said Levin in his Life time, and to the aforesaid Philemon since the death of the said Levin, to render or pay hath hitherto altogether refused, and to the said Philemon still doth refuse to the Damage of him the said Philemon