mentioned without delay & with effect to the final end & determination thereof against the said Elizabeth Rose for unjustly taking & detaining the said Negroes in the said Condition mentioned according to the form & effect of the said Condition, to wit at the County of Talbot aforesaid as by the Record & proceedings of the same Court is manifest & appears — And the same William Hindman further says that no Judgment was ever rendered for the said Elizabeth Rose in the said suit or Action & that no return of the said Negroes has been hitherto adjudged to or in behalf of the said Elizabeth Rose; And this the said William is ready to verify; wherefore he prays Judgment if the same Elizabeth her Action aforesaid thereof against him to have or maintain ought &c. And the said William Hindman by leave of the Court here first had & obtained according to the form of the Statute in such case made & provided comes & further says, that the same Elizabeth Rose her Action aforesaid thereof against him to have & maintain ought not, because he says, that the same Sarah Hindman after the execution of the same writing Obligatory & before the impetration of the Original Writ in this Cause, at the said County of Talbot to wit on the day of in the year of our Lord seventeen hundred & did impetrate & sue out of the said General Court in the said Conditioned mentioned holden for the Eastern Shore of Maryland at Talbot County Court-house, in the said County of Talbot a writ of Replevin against the said Elizabeth Rose for the said negro woman named Maria otherwise called Myrtha the said negro girl named Sarah the said negro boy named Robin & the said negro boy named Whittington in the said Condition mentioned, to the then Sheriff of Worcester County directed returnable before the then Judges of the said Court at Talbot Court house, in the said County of Talbot on the second Tuesday in September next after the date & execution of the same writing Obligatory, which said Tuesday was & happened on the day of in the year of our Lord seventeen hundred & seventy seven, on which said day, the said writ of replevin being duly served & executed by the said Sheriff, so by him was returned before the then Judges of the same Court then holden at Talbot Court house in the said County of Talbot At which said Court then & there holden as aforesaid the said Sarah Hindman by Robert Goldsborough junior her Attorney appeared & did then & afterwards there prosecute the said writ of replevin, suit & action in the said Condition mentioned without delay & with effect against the said Elizabeth Rose for unjustly taking & detaining the said negroes in the said Condition mentioned, according to the form & effect of the said condition until the April Term of the said Court, in the year of our Lord Seventeen hundred & eighty, at which said April Court holden before the then Judges of the same Court, at Talbot Court house in the said County of Talbot, on the second Tuesday of April, in the year last aforesaid, it was then & there agreed between the said Sarah Hindman & the said Elizabeth Rose that the said writ of replevin, suit & action should be struck off & discontinued & that the said Sarah should ever after retain & keep

possession of the same negroes in the said Condition mentioned as her the said Sarah's own property; & upon whereof the said Writ of Replevin suit & action were then & there struck off & discontinued by & with the consent of the said Sarah & Elizabeth, to wit, at Talbot County aforesaid. And the same William further says that no Judgment was ever rendered for the said Elizabeth Rose in the said suit or Action, & that no return of the said negroes has been hitherto adjudged to or in behalf of the said Elizabeth Rose. And this the said William is ready to verify; wherefore he prays Judgment if the same Elizabeth Rose her Action aforesaid thereof against him to have or maintain ought &c.

The Deft. prays liberty to amend, or add any other plea that may be deemed necessary, upon giving sufficient Notice to the Pltfs Counsel; as the Deft has had little or no communication with his Counsel — } Jno. D. Bullitt for the Deft.

Whereupon at the prayer of the said William by his said Attorney, it was ruled by the Court that the said Elizabeth should file her Replication in answer to the plea aft of him the said William, according to a rule of Court in such to be observed, by the second Tuesday of April then next following, or that Judgment should be rendered against her the said Elizabeth for the said William: The same day was given to the said Parties then & so forth. —

Afterwards, to wit on the 16th day of February 1794. The said Elizabeth by her Attorney aft in compliance with the above mentioned rule of Court filed her Replication which issues in manner & form following, to wit.

Nov. Bond, Pleas. And the aft Elizabeth Rose by Nicholas Hammond her Attorney saith, that she by anything by the said William Hindman in his said first plea by pleading alledged ought not to be precluded from having or maintaining her Action aft thereof against him the said William; because she saith that well and truly it is, that after the making of the writing Obligatory aft in the Declaration aft mentioned and before the impetration of the Original writ of her the said Elizabeth in this cause, to wit, the twenty seventh day of May in the year Seventeen hundred and seventy nine, at Talbot County aft, the said Sarah Hindman, in the Condition of the said Writing Obligatory named, did sue and sue out of the General Court holden for the Eastern Shore of Maryland a certain writ of Replevin against her the said Elizabeth Rose for wrongfully taking and detaining the several negro slaves in the Condition and in the plea aft respectively mentioned, directed to the then Sheriff of Worcester County, made returnable before the Judges of the said General Court on the second Tuesday of September then next following in manner and form as the said William above by pleading hath alleged; but the said Elizabeth further saith, that the said Writ of Replevin afterwards & before the day assigned for its return, to wit the first day of August in the year aft, at Worcester County aft, came to the hands of Benjamin Purnell Esq. the said then Sheriff of Worcester County aft, and that afterwards & before the day assigned for its return as aft, to wit, the day and year last aft, at Worcester County aft the said then Sheriff of Worcester County aft, by virtue thereof did take and replevy out of the hands & possession of her the said Elizabeth Rose the several negro slaves aft in the Condition & in the plea aft respectively mentioned,