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regarding but minding and fraudulently intending him the said John Elliott in his life time, and them the said Susannah & Rachel since the death of him the said John in this behalf craftily and subtilly to deceive and defraud the aforesaid sum of money, or any part thereof, or any other reasonable satisfaction for the use and occupation aforesaid, the afsd Valentine neither to the said John in his life time nor the said Susannah & Rachel since the death of him the said John hath not contented & paid (although so to do the afsd Valentine afterwards, towit, on the day and year last afsd and often afterwards at Caroline County afsd by the said John in his life time, and by the said Susannah & Rachel since the death of him the said John was requested, but the same, or any part thereof to content & pay hath hitherto altogether refused and still doth refuse to the damage of the said Susannah & Rachel in the sum of One hundred pounds Current money, and therefore they bring Suit, &c. — And bring here into Court the Letters Testamentary afsd of the said John Elliott whereby it sufficiently appears to the Court here the afsd Susannah and Rachel are Executrixes of the Testament & last Will of the afsd John Elliott, and thereof hath Administration, &c. Pledges &c. — Jn.o Doe & Richd. Roe. — And the afsd Defendant by his said Attorney prayed further liberty of imparling thereof here until the second Monday in October next, and he had it: The same day was given the afsd Plaintiffs here &c. — At which said second Monday in October came afsd Plaintiffs by their said Attorney, and the afsd Defendant by his said Attorney: And the afsd Defendant by his said Attorney further defendeth the force & injury when &c. & saith that payment of the Debt afsd by him the said Defendant unto the said Plaintiffs hath been made &c. and of this he putteth himself upon the Country &c. and the afsd Plaintiffs likewise &c. And the afsd Plaintiffs by their said Attorney replyeth & saith that payment of the Debt afsd, by the afsd Defendant unto them the said Plaintiffs hath not been made &c. and of this they put themselves upon the Country &c. and the afsd Defendant likewise &c.



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Day for Trial of the Issues was then given the Parties afsd here until the first Monday in March next &c. — And now here at this day, towit, the first Monday in March Seventeen hundred and ninety two came the afsd Plaintiffs by their said Attorney, and the afsd Defendant by his said Attorney: Whereupon to try the Issue afsd, it is commanded to the Sheriff of Caroline County that he cause to come here before the Justices afsd immediately Twelve &c. &c. who neither &c. to recognize &c. because as well &c. &c.; and thereupon Edward Bourke, Joshua Willis, William Robinson, Joshua Clarke, James Lecompte, John Lucas, James Ewing, Lewis Ross, William Jackson, Thomas Swift, John Lee & Isaac Boon Jurors by the said Sheriff to this impannelled and here called Some of them, towit, Edward Bourke, William Robinson, Joshua Clarke, James Lecompte, John Lucas, James Ewing, Lewis Ross, William Jackson, Thomas Swift, John Lee & Isaac Boon do come and in that Jury are sworn, and because one of the Jurors of that Jury do not appear, therefore some of the By-standers by the Sheriff of the County afsd to this Jury elected at the request of the afsd Plaintiffs and by order of the Justices afsd is put on anew whose name in the panuel under written is affixed according to the form of the Statute in such Case lately made and provided; and the Juror so put on anew, towit, James Meredith being called also do come, who to say the truth together with the other Jurors afsd first to this impannelled and sworn, being elected, tried & sworn upon their Oaths do say that the afsd Defendant is guilty in manner & form as the said Plaintiffs above thereof against him hath declared, and do assess the Damages of them the said Plaintiffs by occasion of the premises to the sum of ten pounds ten shillings Current money beyond his legal Costs & Charges, and for those Costs & Charges to One pound of Tobacco beyond the legal Costs expended. — Memorandum. Before the Jurors afsd from the Bar of this Court departed the afsd Valentine by his said Attorney filed in Court here the following Bill of Exceptions, towit.

Susannah Elliott & Rachel Elliott Executrixes of John Elliott afsd. v. Valentine Green.

Actions on the Case. Caroline County, Court, March Term 1792. — On the Trial of this Cause the Defendant offered