of those before whom you shall make the same known unto them, and this Writ. Witness the Honorable Samuel Chase, Esquire, chief Judge of our said Court, the 21st day of April, Anno Dominii Seventeen hundred and ninety two. Issued the 23d day of May 1792. — W Barroll, James Earle Clk

At which second Tuesday in September, to wit, in the year seventeen hundred and ninety two, being the day of the return of the aforegoing Writ, came the said Tobias Rudulph by William Barroll, his Attorney; and the Sheriff of Cecil County afs, to whom the said Writ was directed, likewise came and made return thereof to the Court here, thus indorsed "Made known in the presence of John McCoy & William Veazey, Samuel Maffitt, Sheriff. — And the said Samuel & John Fulton, came also into Court here by William Tilghman, their Attorney. — Thereupon further process of & upon the Premises between these Parties, with the consent of the said Parties and their Attornies, and by an Order of Court thereon, was continued until the second Tuesday in April, then next. —

At which second Tuesday in April, to wit, in the year Seventeen hundred and ninety three, came again the said Parties by their Attornies afs, and the said Tobias Rudulph, by his Attorney afs prayed that the said Samuel & John Fulton should be ruled to file their plea in answer to his Writ of Scire facias afs, on or before the second Tuesday in September, then next, or that on default thereof Judgment should be rendered against them: and to him it was granted, The same day was given to him the said Tobias Rudulph, there &c. —

At which second Tuesday in September, to wit, in the year last afs, came again the said Parties by their Attorneys afs, and the said Samuel & John Fulton, by their Attorney afs, by their plea filed here in Court, defend the force & injury when &c. say that the said Tobias Rudulph, Execution against them of the aforesaid Debt, Damages, Costs and Charges, of the Goods and Chattels which were of the said James Fulton at the time of his Death, in their Hands to be administered being, to have ought not, because they say that they have fully administered all the Goods and Chattels which were of the said James Fulton at the time of his Death, & that they have no Goods & Chattels which were of the James Fulton at the time of his Death in their Hands to be administered, nor had they on the day of the Suing of the aforesaid Writ of Scire facias



nor ever afterwards, and this they are ready to verify &c. wherefore they pray Judgment if the said Tobias Rudulph, Execution against them of the Debt, Damages, Charges & Costs aforesaid of the Goods & Chattels whereof the said James Fulton at the time of his Death in their Hands to be administered being, to have ought &c. — Thereupon further process of & upon the premises between the Parties afs, with the consent of the said Parties and their Attornies afs, and by an order of Court thereon, was further continued, until the second Tuesday in April then next. — And nowhere at the said second in April, to wit, in the year Seventeen hundred and ninety four, came again the said Parties by their said Attorneys; and the said Samuel & John by their Attorney afs, say, that they cannot gainsay the Complaint of the said Tobias, nor can they deny that the Recognizance mentioned in the said Writ of Scire facias, was the act & Deed of the said James Fulton, in his life time — And the said Parties by their said Attorneys, file in Court here the following Agreement. —

Tobias Rudulph . . . . . .
afs
Samuel & John Fulton, Admors of James Fulton, Special Bail of Daniel Charles Heath

Judgment. — Assetts confessed for the amount of the Plaintiffs dividend on the personal Estate of James Fulton, (if there is not enough to pay all his Debts) which shall remain after payments of all Judgments & Debts of a nature superior to the Plaintiffs cause of Action — For the residue, Judgment when Assetts. —

Wm Tilghman, Att. for Defendt.

April 11. 1794. — Wm Barroll, atty. for Plt. —

Whereupon it is adjudged by the Court here that the said Tobias Rudulph have his Execution for the Debt, Damages, Costs & Charges aforesaid, mentioned in the said Writ of Scire facias, and also for the further Quantity of Eight hundred and sixty four pounds of Tobacco for his Costs & Charges, by him about this his Suit expended, according to the above Agreement; against the Goods & Chattels, Rights & Credits which were of the said James Fulton at the time of his Death, which have and shall come to the Hands of them the said Samuel & John Fulton, Administrators, as afs to be administered. — And the said Samuel & John Fulton, in Mercy &c.

James Earle Junr Clk.

Judgment was confessed in this Action on the 11th April 1794. for One hundred & eighty pounds, current money Debt, & seven hundred & thirty four pounds of Tobacco Costs of Original Judgment, & the Costs of this Suit — " — according to Agreement.