should be done; do therefore forthwith command you that by good and lawfull men of your Bailiwick you make known unto the said Richard Tilghman Earle Executor of Samuel Earle, that he be and appear before our Judges of the General Court held for the Eastern Shore of this State at Easton, in Talbot County, the second Tuesday of April next to shew Cause if any he hath or knoweth why the said State of Maryland her execution of the debt and costs aforesaid ought not to have her execution against the said Richard Tilghman Earle Executor aforesaid, to be levied of the goods and Chattels which belonged to the said Samuel Earle at the time of his death in the hands of the said Richard Tilghman Earle, to be Administered if to him it shall seem meet and further to do and receive all and singular those things which our Judges aforesaid shall then and there consider in this behalf concerning him; and have you then and there the names of those by whom you shall make the same known, and this writ, witness the Honorable Samuel Chase Esquire, Chief Judge of our said Court the eleventh day of September anno domini 1792. Issued the 8th day of March 1793. (Mr)

James Earle Jun Clk.

At which said second Tuesday in April towit, in the year Seventeen hundred and ninety three, being the day for the return of the aforegoing writ here came the said State of Maryland by William Tilghman her attorney and Thomas O'Bryon Sheriff of the County aforesaid, to the Court here made return that by virtue of the writ aforesaid to him directed, he hath made known unto the said Richard Tilghman Earle Executor as aforesaid, by John Doe & Richard Roe, good and Lawful men of his Bailiwick that he be and appear before the Judges aforesaid, at the time and place aforesaid, to shew Cause &c and the said Richard Tilghman Earle Executor as aforesaid, by Luther Martin his attorney aforesaid came here into Court and prayed leave to imparle thereto here until the second Tuesday in September then next following; And it was granted unto him: the same day was given the said State of Maryland there &c At which said second Tuesday in September term in the year Seventeen hundred and ninety three, here came again the parties aforesaid by their attorneys aforesaid, and the said State of Maryland by her attorney aforesaid prayed that the said Richard Tilghman Earle Executor as aforesaid, might be ruled to file his plea in answer to the Scire facias after the said State of Maryland, on or before the second Tuesday in April then next, or that Judgment in default thereof against the said Richard Tilghman Earle Executor as aforesaid, might be rendered and it was granted unto her the same day was given to the said State of Maryland there &c — At which said second Tuesday in April towit, in the year Seventeen hundred and ninety four here came again the parties aforesaid by their attorneys aforesaid, and the said Richard Tilghman Earle Executor as aforesaid, by his attorney aforesaid offers his plea in answer to the Scire facias aforesaid, after the said State of Maryland, in manner and form following, to wit, And the aforesaid Richard Tilghman Earle by Luther Martin his attorney doth come that the said State of Maryland ought not execution of the Debt Damages and costs aforesaid against him to have ought not because he saith that there is not such Record of the Recovery of the debt damages & costs against the said Richard in the General Court aforesaid there remaining as the said State

Maryland, in the Scire facias hath alledged, and this he is ready to verify wherefore he prays Judgment if the said State ought execution aforesaid against him to have ought, and the said Richard by the leave of the Court here first had according to the form of the Statute in such Case made and provided by his said attorney further saith that the said State ought execution aforesaid against him to have ought not because he saith that he the said Richard after the obtaining of the Judgment aforesaid and before the day of the impetration of the writ of Scire Facias after said State did well and truly pay unto the said State as well the aforesaid sum of three thousand pounds current money aforesaid as also the Quantity of seven hundred and twenty eight pounds of Tobacco aforesaid in full satisfaction of the Judgment aforesaid, and this he is ready to verify wherefore he prays Judgment if the said State ought execution aforesaid against him to have ought &c and the aforesaid Richard by the leave of the Court first had according to the form of the Statute in such Case made and provided, by his said attorney further saith that the said State ought Execution aforesaid against him to have ought not because he saith that the said Samuel Earle in his lifetime after the obtaining of the Judgment aforesaid and before the day of the Impetration of the writ of Scire Facias after said State did well and truly pay unto said State as well the aforesaid sum of three thousand pounds current money aforesaid as also the Quantity of seven hundred and twenty eight pounds of Tobacco aforesaid in full satisfaction of the Judgment aforesaid, and this he is ready to verify wherefore he prays Judgment if the said State ought execution aforesaid against him to have ought &c and the aforesaid Richard by the leave of the Court first had according to the form of the Statute in such Case made and provided by his said attorney further saith that the said State ought execution aforesaid against him to have ought not because he saith that at the time of the impetration of the writ of Scire facias of the said State, he the said Richard had fully Administered all and singular the goods and Chattels, rights and Credits which were of the aforesaid Samuel Earle deceased, in his hands to be administered, whereby the said Richard was not able to pay the said State the aforesaid sum of money and Quantity of Tobacco in the Scire Facias aforesaid mentioned, and this he is ready to verify wherefore he prays Judgment if the said State ought execution aforesaid against him to have ought &c

Luther Martin atty for Defts

and the said Richard Tilghman Earle by his attorney aforesaid, prayed that the said State of Maryland, to this plea might reply: whereupon it was ruled by the Court here at the prayer of the said Richard Tilghman Earle, that the said State of Maryland should reply to the plea aforesaid of the said Richard Tilghman Earle, by the second Tuesday in September then next or that Judgment by default thereof against the said State of Maryland should be rendered: the same day was given to the said Richard Tilghman Earle there &c — And now here on this day towit, the second Tuesday of September in the year Seventeen hundred and ninety four, here came again the parties aforesaid by their attorneys aforesaid, and the said Richard Tilghman Earle Executor as aforesaid by his attorney aforesaid, says that he cannot deny the sum[illegible] aforesaid, nor that the said