Judgments.

aforesaid mentioned, according to the force, form and effect of the recovery aforesaid as also the Quantity of Six hundred and fifty six pounds of Tobacco for his Costs and Charges which he hath sustained by reason of the delay of the Execution of the Judgement aforesaid — And the said Sythia Cooper and Sophia his wife Administratrix as aforesaid in mercy &c — Test. James Earle Jr. Clerk.

Memorandum, That 17th of September 1798. writ Stay of Execution untile the next Term — Payments, if any since Original Judgment, to be allowed —

James Hindman against Ward Stewart Exr of Athell Stewart

Be it remembered, that on the tenth day of June in the year of our Lord one thousand seven hundred and ninety seven James Hindman by Luther Martin and Thomas James Bullitt Esquires his Attorneys issued out of our Eastern Shore General Court, the State of Marylands writ of Scirefacias against Ward Stewart Executor of the last will and Testament of Athell Stewart, deceased, directed to the Sheriff in Caroline County, in the words and figures following, towit — The State of Maryland, To the Sheriff of Caroline County, Greeting: Whereas at a General Court held for the Eastern Shore of this State, at Easton, in Talbot County on the second Tuesday of April seventeen hundred and ninety four, James Hindman did recover Judgment against a certain Athell Stewart as well for the Sum of eight hundred and thirty pounds five shillings Current money, a certain Debt, as also the Quantity of seven hundred and twenty seven pounds of Tobacco, which unto the said James Hindman was adjudged for his Damages which he had sustained as well by occasion of the detention of that Debt, as for his Costs and Charges by him about his suit in that behalf laid out and expended, whereof the said Athell Stewart was convicted as of Record is manifest — And although Judgement thereof hath been rendered as aforesaid, Execution Nevertheless of the Debt and Damages, Costs and Charges aforesaid still remaineth to be done — And whereas also on the part of the said James Hindman we have in our said Court likewise understood that the said Athelo Stewart is since dead, having before his said decease duly made his last will and Testament in writing, and thereby appointed a certain Ward Stewart late of Caroline County, Yeoman, Otherwise called Perry Ward Stewart, the Executor thereof, wherefore the said James Hindman hath besought us, to grant him a proper remedy in this behalf, And we being willing that what is just in this part should be done, Do therefore Command you that by good and lawful men of your Bailiwick you make known unto the said Ward Stewart otherwise called Perry Ward Stewart, Executor as aforesaid, that he be, and appear before the Judges of the General Court, to be held

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for the Eastern Shore of this State, at Easton in Talbot County, the second Tuesday of September next, to Shew cause if any for himself he hath, or knoweth why the said James Hindman ought not to have his Execution against him for the Debt and Damages, Costs and Charges aforesaid, of the Goods and Chattels which were of the said Athell Stewart at the time of his death in the hands of the said Ward Stewart otherwise called Perry Ward Stewart, Executor as aforesaid to be Administered being, according to the force, form and effect of the recovery aforesaid, if unto him it shall seem expedient, and further to do and receive all and singular those things which our Judges aforesaid shall then and there consider ought to be done, and have you then and there the names of those before whom you shall make the same known unto him and this writ — Witness the Honorable Robert Goldsborough Esquire Chief Judge of our said Court the 11th day of April 1797. Tested the tenth day of June 1797. Test. James Earle Junr Clerk. At which said second Tuesday of September in the year of our Lord one thousand seven hundred and ninety seven (being the day for the return of the aforegoing writ of Scirefacias) came into Court the same James Hindman by his Attorney aforesaid, and the Sheriff of Caroline County to whom the same writ was in form aforesaid directed, likewise came, and made return thereof to our said Court, thus endorsed, towit — "Made known, Dekas Thompson Shff" And the said Ward Stewart being called appeared in Court by Nicholas Hammond Esquire his Attorney and prayed leave of the Court to imparle untile the next Term, and he had it; The same day was given to the said James Hindman, then &c — At which said next Term, towit, the second Tuesday of April in the year of our Lord One thousand seven hundred and ninety eight came again into Court the parties aforesaid by their Attornies aforesaid; And the same Ward Stewart by his Attorney, said, that he the same James Hindman ought not to have his Execution against him for the Debt Damages and Costs in the said Writ of Scirefacias mentioned, because he said that he has fully Administered all and singular the Goods & Chattels, Rights and Credits which were of the aforesaid Athelo Stewart at the time of his Decease, in the hands of him the said Ward Stewart to be Administered, and that he had not, nor had he at the time of the issuing and suing out of the said Writ of Scirefacias of him the said James Hindman in the plea aforesaid, against him the said Ward Stewart, nor hath he at any time since, any of the Goods, Chattels or Effects of which were of the said Athelo Stewart at the time of his Death, in the hands of him the said Ward Stewart to be Administered, wherewith the Debt, Damages and Costs aforesaid, or any part thereof to the said James Hindman he could have paid and satisfied; And this he the said Ward Stewart is ready to verify; wherefore he prayed Judgement whether the said James Hindman ought to have his Execution against him for the Debt Damages and