second Tuesday of September Seventeen Hundred and Ninety Eight, to answer to the Scire facias of the said Alexander Stewart Junr in the plea aforesaid; and he had it. The same day is given to the said Alexander Stewart Junr then &c at which said Second Tuesday of September Seventeen hundred & ninety eight being the day the said William Ballard had leave to imparle, and then to answer to the Scirefacias of the said Alexr Stewart Junr in the plea afs; Comes as well the said Alexander Stewart Junr as the said William Ballard by their Attorneys aforesaid, and the said William Ballard by his said Attorney, as before, defends the force and injury, when, &c and sayeth, that the said Alexander Stewart ought not to have his Execution against him the said William Ballard because he says that he the said William after the recovery of the Judgment and before the suing forth the Writ of Scire facias, to wit, in Somerset County on the — day of — Seventeen Hundred and ninety — paid to the said Alexander the debt and damages in form aforesaid recovered, And this he is ready to verify, Wherefore he prays Judgment whether the said Alexander ought to have his Execution against him &c. And the said Alexander Stewart by his Attorney aforesaid saith that he the said William by any thing by him in pleading alledged, from having his Execution aforesaid against him the said William ought not because he saith that he the said William did not after the recovery of the Judgment, and before the suing forth the writ of Scirefacias aforesaid, at any other Time pay to him the said Alexander the debt and Damages aforesaid or any part thereof and this he prays may be required of by the Country &c And the said William Ballard likewise &c Therefore it is ordered to try the issue aforesaid above joined between the parties, let a Jury thereon appear before the Court, on the Second Tuesday of April next by whom &c and who neither &c to respite &c because as well &c, the same day is given to the parties aforesaid there and then &c And now at this day to wit, the second Tuesday of April in the year of our Lord one thousand seven hundred and ninety nine, Comes again into the General Court here, the parties aforesaid by their attorneys aforesaid, and the said William Ballard by his Attorney aforesaid relinquishes the avowment aforesaid, above by him pretended & says, that he cannot show Cause why the said Alexander should not have his Execution against him for the Debt, Damages, Costs, and charges aforesaid, according to the form form and effect of the recovery aforesaid. Therefore it is considered by the Court here, that the said Alexander Stewart have Execution against the said William Ballard for as well the debt, damages, costs and charges aforesaid in the Writ of Scire facias aforesaid mentioned, according to the form and effect, of the Recovery aforesaid, as the quantity of Six hundred and Twenty three Pounds of Tobacco, to the said Alexander Stewart on his agreement by the Court here adjudged, for his costs

and charges which he hath sustained by reason of the delay of the Execution of the Judgment aforesaid; and the said William Ballard in mercy &c.

Tot James Earle Junr Clk

Memorandum

Dat 10th April 1799 Payments if any to be allowed

Alexander Stewart Junr Adm of John Stewart
against
William Pollitt, of Wm,

Be it Remembered that on the Twenty Seventh day of March in the year of our Lord one thousand Seven Hundred and Ninety Eight the said Alexander Stewart Junior by Nicholas Hammond Esquire his Attorney sued forth out of the General Court here the writ of the State of Maryland of Scirefacias, to the Sheriff of Somerset County directed, in the words and of the Tenor following, to wit,

The State of Maryland, To the Sheriff of Somerset County Greeting: Whereas Henry Jackson & John Stewart, lately, to wit, in the Second Tuesday of April Seventeen hundred and ninety three before the Judges of our General Court, had recovered against William Pollitt late of the County afs gentleman, as well a certain Debt of Four hundred and thirty pounds, Current money; as also the quantity of Six hundred & thirty three pounds of Tobacco, which in said Court was adjudged for their Costs and charges by them about their suit in that behalf Expended; whereof the said William Pollitt is convicted as to us it appeareth by Record — And whereas since the rendering of the Judgment aforesaid the said Henry Jackson hath died whom the said John Stewart did survive; and whereas the said John Stewart on the day of — in the year Seventeen Hundred & — also died, and Administration of all and singular the goods & Chattels, rights & Credits which were of the said John Stewart, at the time of his death, to — and Alexander Stewart in due form of Law was Committed — and whereas the said — Administrator as afs and since dead, whom the said Alexander Stewart, one of the administrators as afs hath survived Execution Nevertheless of that Judgment still remains to be done, as by the information of the said Alexander Stewart Surviving Administrator as aforesaid, we have understood, and because we are willing that what is just in this part should be done We therefore Command you that by good and lawful men of your Bailiwick you make known unto the said William Pollitt that he be and appear before the Judges of our General Court, at Easton in Talbot County on the Second Tuesday of April next to shew Cause if any for himself he hath or knoweth why the said Alexander Stewart Surviving Administrator as afs Execution against him for the debt Costs & charges to have ought not, according to the form form and effect of the recovery afs, if unto him it shall seem meet, and further to do and receive all and singular those things which our Judges afs shall then & there Consider in this behalf Concerning him. Hereof fail not at your peril and have you then & there this Writ. Witness the Honorable Robert Goldsborough Esqr Chief Judge of our said Court this 15th day of September Anno Dom 1797 Issued the 27th day of March 1798 Test James Earle Junr Clk