Maintaining his Action aft. Ought not to be Precluded because Protesting that the Said William and Sarah had Notice of the Protestation of the Said Bill at the time and place in the Said Declaration Mentioned for the the Said Humphry Mills that the Said William and Sarah had at the Day of the Impostration of the Originale Writt of the Said Humphry divers goods and Chattles which were of the Said Edward at the time of his Death in their hands to be Diminished to the Value of Ten hundred Pounds Sterling where of the said Humphry of the Money aft. in the Declaration aft. mentioned Might have been Satisfied | levied | at Dorchester County aft. And Now he prays may be Inquired off by the Country &c — And the aft. William Fulton & Sarah his Wife Admx as also

Wherupon Jo Fryng that Issue Countrand is given to the Shire of Dorchester County that he Cause to Come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices Appointed to take the Assizes in his County if they Shall before that time to wit on Monday the second Day of September next to the County Court house in the said County Cause twelve good & Lawfull men of his Bailywick by whom &c who neither &c to Recognize &c because as well the Writ and the Process Continued between the parties aft. on the Plea aft. by the Jurors being put thereon in respect how untill the third Tuesday of October Unless the Justices of his Sordship the Lord Propry to take the Assizes in the said County Assigned On Monday the Seventh Day of September next to the County Court house in the said County Should Come

And now here at this Day to wit the 20th Day of October Anno Dom 1724 Comes again before his Lordships his Lordships Prov. Court here Outside the Said Humphry Morris by his Attorney aft. as the said William Fulton & Sarah his Wife Admx as aft. by their Attorney aft. But the Sheriff hath not Sent his Writt Wherupon Countrand is again given to the Sheriff of Dorchester County that he Cause to Come before the Justices of the Provincial Court at Annapolis the third Tuesday of May next Or before the Justices Appointed to take the Assizes in his County if they Shall before that time to wit on Monday the twelfth Day of April next to the County Court house in the said County Twelve good & Lawfull men of his Bailywick to Recognize in form aft.

Afterwards the Process Continued between the Parties aft. on the Plea aft. in form aft. untill the third Tuesday of May next Unless the Justices of his Sordship the Lord Propry to take the Assizes in the said County Assigned On Monday the twelfth day of April next to the County Court house in the said County Should Come — And Now here at this Day to wit the third Tuesday of May being the 18th Day of the Said Month Anno Dom 1725 Comes again before the Justices of the Provincial Court here as well the Said Humphry Morris by his Attorney aft. as the said William Fulton & Sarah his Wife Admx as aft. by their Attorney aft. but the Sheriff hath not Sent his writt Wherupon Countrand is again given to the Sheriff of Dorchester County that he Cause to Come before the Justices of the Prov Court at Annapolis the third Tuesday of October next or before the Justices Appointed to take the Assizes in his County if they Shall before that time to wit on Monday the 13th Day of September next to the County Court house in the said County Twelve good & Lawfull men of his Bailywick to Recognize in form aft.

Afterwards the Process Continued between the Parties aft. on the Plea aft. in form aft. untill the third Tuesday of October next Unless the Justices of his Sordship the Lord Propry to take the Assizes in the said County Assigned on Monday the 13th Day of September next to the County Court house in the said County Should Come — And now here at this Day to wit the 19th Day of October being the 3d Tuesday of the said Month Anno Dom 1725 Comes again before the Justices of his Sordships Prov Court here Outside the said Humphry Morris by his Attorney aft. as the said William Fulton & Sarah his Wife Admx as aft. by their Attorney aft. but the Sheriff hath not Sent his writt Wherupon Countrand is again Given to the Sheriff of Dorchester County that the Cause to Come before the Justices of the Prov Court at

(Annapolis)



Annapolis the third Tuesday of next or before the Justices Appointed to take the Assizes in his County if they Shall before that time to wit on Monday the 11th Day of April next to the County Court house in the said County Twelve good &c to recognize in form aft.

Afterwards the Process Continued between the Parties aft. on the Plea aft. in form aft. untill the third Tuesday of May next Unless the Justices of his Sordship the Lord Propry to take the Assizes in the said County Assigned on Monday the 11th Day of April next to the County Court house in the said County Should Come

And now here at this Day to wit the said third Tuesday of May being the 20th day of the said Month Anno Dom 1725 Comes again before his Sordships Justices of the Prov. Court outside the said Humphry Morris by his Attorney aft. as the said William Fulton and Sarah his Wife Admx as aft. by their Attorney aft. and the Justices of Assize before whom and said here their Record before them had in this Second Vis.

Afterwards to wit the day and place mentioned before Roger Woolford Esq. one of his Sordships Justices of the Provincial Court of this Province and Nicholas Lloyd Esq. Coll. Lyons one other of his Sordships Justices of the said Court, Assigned to take the Assizes in Dorchester County aft. according to the Form of the Statute &c. came the within named Humphry Morris Esq. by William Cumming his Attorney and the said William Fulton & Sarah Admx of Edward Bryan by Michael Howard Esq. his Attorney and the Jurors of that Jury whose mentioned is above made being called Diverse Come to wit, Capt. Edwin Ake Foreman, David Barkum, Henry Howard, William Trego, Thomas Smith Solo. Ent, Bath. Lumales, Bartholomy Shelby, J. Cook, Flo. Trouth, Robert Muir & James Haig who being duly elected tryed & Sworn to Say the truth in the premisses upon their Oath do Say, that the Deptt. Sarah the Day of the Impostration of the Original Writt of the Said Humphry, and Long before, did Fully Adm. all the Goods and Chattles which were of the Said Edwards at the time of his Death, and that the said William and Sarah have not nor either of them hath any Goods or Chattles which were of the said Edwards, at the time of his Death or afterwards, nor had they the aft. Day of the Impostration of the said writt nor ever afterwards, in their hands or either of their hands to be Admx., or wherewith they Could Satisfie unto the said Humphry the aft. Sum of money or any part thereof —

Exceptions offered by the Pltf. in this Action and allowed of & before the Jury went from the Bar &c — The Tenour of which follows in these Words Vis.

Dorchester County, Sc.

Be it Remembred that the twelfth day of April Anno Dom 1726 before Roger Woolford Esq and Nicholas Lloyd Esq. two of the Justices of the Right Honourable the Lord Propry his Prov Court of Maryland for taking the Assizes in the said County Assigned In a plea of trespass upon the Case which Humphry Morris Esq. in his said Sordships Provincial Court did prosecute before Samuel Young Esq and his Associates Justices of the said Provincial Court against William Fulton of Dorchester County Planter and Sarah his Wife Admx. of the and Singular the goods Chattels Rights and Credits which were of Edward Bryan late of Burn Arundale County Bricklayer deceased who died Intestate as it is said and the said Humphry thereupon complained that whereas the said Edward in his Lifetime the twelfth Day of July Anno Dom 1719 at Dorchester County aft. according to the Customs of Merchants and Other Prudent & approved the Contrary whereof in the memory of man is not made & Drew four Bills of Exchange Like Tenour Tenour and Date the Day and year aft. with his proper hand & hand thereto Subscribed and to a certain William Hunt Merchant In London residing & negotiating directed by the first of which Bills the said Edward in his Lifetime required the said Hunt at Twenty days Sight thereof his Second Third and Fourth of the same Tenour and Date being unpaid to Pay unto the said Humphry or his Order the Sum of Fifty Eight Pounds Sterling and to place the same to the Account of the said Edward in Consideration whereof and the Customs aft. the aft. Edward in his Lifetime afterwards Viz. the Day & year aft. at Dorchester County aft. upon Humble Request & to the said Humphry then & there Faithfully promised that he the said Edward in his Life time the said Fifty Eight pounds Sterling to the said Humphry would truly Satisfie & Pay in Case the said Hunt should not pay the same According to the Tenour and Effect of the said Bills of Exchange together with all Cost Damages and Charges that should be occasioned by Non Payment thereof and the said Humphry in

(fact)