

wise, and neither of them appearing by themselves or Attorney to answer the action of the aforesaid Edward Pynn Itt was therefore comanded the Coroner of the County aforesaid that by good and lawfull men of his bailywick he make known unto the said Jonathan Sibrey that he be & appeare here the Eighth day of October in the third yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1678. to shew cause if any he had why judgem<sup>t</sup> should not passe against him upon the aforesaid action of the said Edward Pynn On which said Eighth day of October in the yeare aforesaid John James Coroner of the County aforesaid made returne of the writt aforesaid endorsed Viz<sup>t</sup> that he had made known unto the said Jonathan Sibrey in the p<sup>r</sup>sence of John Howell & Robert Sanders good & lawfull men of his bailywick, which said Jonathan according to the warning in this behalfe made by Robert Ridgely his Attorney likewise came & prayeth thereupon day to imparle untill next Pro- vintiall Court & itt is granted unto him, the same day is given to the plaintiffe also

Now here att this day to witt the Seventh day of June in the fourth yeare of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1679. cometh as well the said Edward Pynn by Robert Car- vile his Attorney as the said Jonathan Sibrey by his Attorney afore- said And the said Jonathan by his said Attorney saith, that the afore- said Edward Pynn ought not to have judgem<sup>t</sup> against him in the action aforesaid by him comenced against the said George Oldfield & Petronalla his wife Exec<sup>x</sup> of the last Will & testam<sup>t</sup> of John Carre deceased, because he saith that the debt pretended to be due to the said Edward Pynn upon which the writt aforesaid is founded is due to the said Edward from the Estate of the said John Carr deceased And that the said George & Petronella are sued in that action as the said Petronella is Exec<sup>x</sup> of that Estate And therefore the bodyes of the said George & Petronella for the same by the said Jonathan by vertue of the writt aforesaid by the Law could not be restrained, untill upon a wast proved against them of the said Estate, by reason whereof them the said George & Petronella in their proper persons to the City of S<sup>t</sup> Maryes aforesaid the said fourth day of Decemb<sup>r</sup> aforesaid compell he could not And this he is ready to averr, & there- upon prayeth judgem<sup>t</sup> of this Court if the aforesaid Edward Pynn judgement against him of & upon the p<sup>r</sup>misses ought to have And of this he putts himself upon the judgem<sup>t</sup> of the Court, And the plain- tiffe also And hereupon the p<sup>r</sup>misses being seen & by the Justices here fully understood, itt seemeth to the Justices here that the said plea of the said Defend<sup>t</sup> in manner and forme aforesaid pleaded & the matter therein contained are sufficient to hinder & retard the said p<sup>t</sup> from haveing judgm<sup>t</sup> against the said Defend<sup>t</sup> of & upon the p<sup>r</sup>misses. Therefore itt is considered that the said writt of Scire facias against the said Defend<sup>t</sup> in forme aforesaid obtained shall be abated &c.

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