

and Granting Administrations etc. of a plea that he render unto her Two hundred Pounds Ster^t Which from her She Unjustly detains etc. And Whereupon the Same Mary Hemsley by Thomas Bordley her Attorney Says that whereas the af^d John Smith in his Lifetime To Witt the third Day of December Anno Dom Seventeen hundred and Six at Calvert County aforesaid by his Certain Writeing Obligatory did Acknowledge himself to be holden and firmly bound unto the af^d John Contee in his Lifetime in the af^d Two hundred Pounds Sterling to be paid to the Said John Contee when afterw^{ds} he Should be thereunto required Nevertheless the Said John Smith in his Lifetime and the af^d Dorothy Smith after the Death of the Said John Smith altho often required the af^d two hundred Pounds Sterling to the Said John Contee in his Lifetime or to the Said Mary Hemsley after the death of the Said John Contee have not rendered but the Same to them to render have refused and the af^d Dorothy Smith the Same to the Said Mary Hemsley hitherto to render doth Still refuse and unjustly Detaine Whereupon She Saith She is the Worse and hath Loss to the Value of four hundred pounds Sterling money af^d and thereof She brings the Suit etc. and She brings hereinto Court as well the writeing af^d which Testifies the Debt af^d in form af^d as the Letters Testamentary of the af^d John Contee by which it appears to the Court here the af^d Mary Hemsley lately named Mary Contee to be Executrix of the Testament aforesaid and thereof to have Administration etc. p^t etc.

Jn^o Doe and Richard Roe

And the Said Dorothy Smith Ex^{rx} as aforesaid by Daniel Dulany her Attorney Comes and defends the force and Injury when etc. and prays a hearing of the Condition obligatory af^d and it is read unto her She also prays a hearing of the Writeing of the Same writeing obligatory and it is read unto her in these words following Viz^t The Condition of the above Obligation is Such that whereas the above bound William Parker is by the af^d John Contee Esq^r appointed and Deputed Deputy Commissary of Calvert County According to an Act of Assembly of this Province Entituled An Act for the administration of Justice in Probatt of Wills and granting Administrations recovering of Legacies and Securing filial portions Now if the Said W^m Parker Shall well and truly Execute the Said office of Deputy Comissary and Make due returne of all and Singular [629] his proceedings therein to the office for Probat of Wills etc. According to Law and Shall also Indemnifie and Save harmless the Said John Contee Esq^r from all things that may happen by reason of any Mifeazance which Shall be Committed by him the Said W^m Parker then this Obligation to be Void and of no Effect or Else to be and remain in full fore power and Vertue. Which being read and heard the Said Dorothy Smith Ex^{rx} as af^d by her Said Attorney prays Leave to Imparle hereunto untill Next Court and She hath it and the Same day is given to the plf^t also. Att Which Said Next Court To Witt the 20th Day of September Anno Dom 1720 Come again the Said parties plaintiff and Defendant by