

August Court . . . . 1734 . . . . . 199

him about his defence and in that part sustained to the same William Cordier Junr. by the Court here according to the form of the Statute in such Case the said Statute made and provided adjudged and that the said William Cordier have those of

of A Neal Master . . . . } Somerset County s. Elizabeth Nicholson late of Somerset County widow and executrix of  
all and Singular the goods and Chattels of John Nicholson late of the same County  
1703. Eliz. Nicholson adm<sup>r</sup> } Bricklayer dec<sup>d</sup>. otherwise lately called John Nicholson of Somerset Co<sup>t</sup>  
of John Nicholson dec<sup>d</sup>. } in Stepany Parish Bricklayer was summoned to answer unto Capt. Neale  
Maclester of the County and province afo<sup>r</sup>. shipwright of a plea that he  
render unto him fifty bushels of merchantable Indian Corn which from him he unjustly detain<sup>s</sup>.

And Whereupon the s<sup>r</sup>. Neale by Francis Allen his Attorney saith that whereas the s<sup>r</sup>. John  
in his life time to wit the twenty Eighth day of March in the year of our Lord one thousand seven  
hundred thirty and two at Somerset County afo<sup>r</sup>. within the Jurisdiction of this Court by his certain  
obligatory which the s<sup>r</sup>. Neale with the seal of the s<sup>r</sup>. John in his life time signed here into Court being  
the date whereof is the same day and year did bind himself to pay or cause to be paid to y<sup>e</sup> s<sup>r</sup>. Neale  
his heirs or assigns the afo<sup>r</sup> fifty bushels of merchantable Indian corn at a convenient landing on  
Tyrquin Creek in Stepany Parish at or upon the twenty seventh day of December next ensuing the date  
of the s<sup>d</sup>. Bill and to the s<sup>d</sup>. payment well and truly to be made the s<sup>r</sup>. John in his life time did bind  
himself his heirs &c. and adm<sup>r</sup> jointly by the said Bill. Nevertheless the said John in his life  
time nor the afo<sup>r</sup> Elizabeth after the death of the said John to whom administration of all and Singular  
the goods and Chattels Rights and Credits of the s<sup>r</sup>. John at the time of his death after the decease  
of the s<sup>r</sup>. John in due form of Law committed the s<sup>d</sup>. often required the said fifty bushels of Indian  
Corn to the said John have not rendered but the same to him hitherto to render have denied and  
the s<sup>r</sup>. Elizabeth the same to the s<sup>r</sup>. Neale to render still doth deny and unjustly detain to the  
damage of the said Neale of ten pounds s<sup>r</sup>. money of Maryland and thereupon he brings  
Suit &c.

And the afo<sup>r</sup> Elizabeth Nicholson adm<sup>r</sup> or afo<sup>r</sup> by William Buckingham her attorney Comes and Pleading to  
himself all manner of advantages as well to his will as to the declaration afo<sup>r</sup> prays Leave to Imparle here  
until next Court and he hath it and the same day is given to the afo<sup>r</sup> Neal also &c.

At which said next Court to wit the Eighteenth day of June and Ann. One thousand Seven hundred and thirty  
four came againe as well the afo<sup>r</sup> Neal Master as the afo<sup>r</sup> Elizabeth Nicholson by their attorneys afo<sup>r</sup> and  
whereupon the same Eliz<sup>a</sup> by her said attorney defends his fore and Injury when s<sup>d</sup>. and saith that the said  
Elizabeth adm<sup>r</sup> or afo<sup>r</sup> William Buckingham her attorney prays leave to Imparle  
and saith that the s<sup>r</sup>. John in his life time did not owe to the s<sup>r</sup>. Neale the  
fifty bushels of corn in the declaration afo<sup>r</sup> mentioned or any parcel thereof in manner  
form as the afo<sup>r</sup> Neale above against her hath declared and thereof she puts herself upon  
the Country &c. (and the afo<sup>r</sup> Neal)