William Pinkney Attorney for the said State who for the said State in this behalf prosecuteth, and the Sheriff of Prince Georges County to whom the said aforegoing Writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit — " —

" Copi Copy left Aug.t 25.th 1792 — Jo.n D. Beall Sheriff — " —

And the said Levin Covington Wailes by William Kilty his Attorney comes and defends the force and injury when and soforth, and prays leave of the Court to Imparle hereunto, until next Court, and he hath it, the same day is given to the aforesaid William Pinkney Attorney for the said State who for the said State in this behalf prosecuteth also — At which said next Court to wit, the second Tuesday of May being the fourteenth day of the same Month Anno Dominii seventeen hundred and Ninety three comes again here into our General Court as well the aforesaid William Pinkney Attorney for the said State who for the said State in this behalf prosecuteth, as the aforesaid Levin Covington Wailes by his Attorney aforesaid and the aforesaid Levin Covington Wailes by his Attorney aforesaid as before defends the force and injury when and soforth, and prays further leave of the Court to Imparle hereunto until next Court and he hath it the same day is given to the aforesaid William Pinkney Attorney for the said State, who for the said State in this behalf prosecuteth also — " —

At which said next Court to wit the second Tuesday of October being the eighth day of the same Month Anno Dominii seventeen hundred and Ninety three comes again here into our General Court as well the aforesaid William Pinkney Attorney for the said State who for the said State in this behalf prosecuteth as the aforesaid Levin Covington Wailes by his Attorney aforesaid, And the aforesaid Levin Covington Wailes by his Attorney aforesaid as before defends the force and injury when and soforth, and prays an hearing of the Writing Obligatory aforesaid and the Condition thereof, and they are read to him in the following words to wit — Maryland So.t Know all Men by these presents that we Edward Lloyd Wailes, Levin Covington Wailes James Collings, William Dent Beall, Overton Carr and Michael Lowe of Prince Georges County are holden and firmly bound unto the State of Maryland in the full sum and just quantity of two hundred thousand pounds of good sound Merchantable leaf Tobacco and Cash to be paid to the said State of Maryland a Assigns, To the which payment well and truly to be made and done, we bind ourselves and every of us our and every of our heirs, Executors and Administrators, jointly and severally for the whole and in the whole firmly by these presents Sealed with our Seals and dated this first day of January in the year seventeen hundred and Ninety — The Condition of the above obligation is such that if the above bound Edward Lloyd Wailes do well and truly serve the State of Maryland in the Office of

High Sheriff of the County of Prince Georges within the State aforesaid and in all things well and faithfully execute the same Office, and also shall render to the said State and the Officers thereof a true faithful and perfect account of all and singular the said States rights and dues and to the Officers a true and just account of their fees, that he shall or may be entrusted with, by the said State and the Officers thereof to receive and collect, and his Account to the said State for the fines and forfeitures and other dues belonging to the said State or Assigns, as also his Account of all fees, dues and sums of Money or Tobacco due to any of the good people within this State for any sum or sums of Money or Tobacco wherewith the said Sheriff shall be entrusted during the time of Shirwalty or to such of them as shall require the same, shall pass and render and in all other things as Sheriff of the County of Prince Georges shall behave himself well and honestly towards all persons according to the best of his power skill and knowledge then the above Obligation to be void and of no effect, else to stand and remain in full force strength and Virtue in Law — " — which being read and heard the said Levin Covington Wailes says that the said State ought not to have or maintain its Action aforesaid thereof against him because he says that the aforesaid Edward Lloyd Wailes from the time of the making of the writing Obligatory aforesaid hath hitherto well and faithfully observed performed and fulfilled all and every thing in the Condition aforesaid mentioned on his part to be observed performed and fulfilled according to the form and effect of the said Condition and this he is ready to verify, wherefore he prays Judgment if the said State ought to have or maintain its Action thereof against him. — And the said State by William Pinkney in this behalf its Attorney saith, that by any thing in the plea of the said Levin above alledged from having and maintaining its Action to be precluded the said State ought not because (protesting that the aforesaid Edward hath not well and faithfully performed all or any of the matters and things in the Condition of the writing Obligatory aforesaid mentioned on his part to be done and performed) for Replication thereto the said State saith, that before the issuing of the Original Writ in this Cause to wit, on the twenty eighth day of July in the year seventeen hundred and eighty nine a certain Joseph McNeily in the Indorsement of the said Writ mentioned prosecuted out of the General Court for the Western Shore of the State of Maryland a Writ of the said State called a Capias ad Respondendum to the Sheriff of Prince George's County directed whereby the said Sheriff was commanded to take one Clement Holliday if he should be found in his Bailiwick and him safe keep so that he might have his Body before the Judges of the said Court to be held at the City of Annapolis on the second Tuesday of October then next to answer unto the said Joseph McNeily of a plea that he render unto him the sum of two hundred pounds Current Money