December Term 1836.

Mary Ann Magruder use of John W. Anderson, by Benjamin & Forrest their Attorney, prosecuted and sued forth out of the Court of Appeals here, a Writ of the State of Maryland of venditioni exponas to the Sheriff of Montgomery County directed, in the words and figures following, to wit

Maryland ss.

The State of Maryland, To the Sheriff of Montgomery County Greeting. Whereas at a County Court begun and held at Rockville, in and for Montgomery County on the first Monday in March, in the year of our Lord, one thousand eight hundred and twenty four, a certain Benjamin Perry and Gassaway Perry, administrators of Mary Ann Magruder, by judgment of the said court recovered against a certain Warren Magruder, late of said County, as well the sum of four hundred and thirteen dollars current money, a certain debt, as the sum of nine hundred dollars for their damages which they had sustained, as well by reason of the detention of that debt, as five Dollars, sixteen and two third cents, for their costs and charges, in that behalf laid out, and expended, whereof the said Warren Magruder is convict, as by inspecting the record of proceedings of the same Court brought before the Court of Appeals for the Western Shore at the City of Annapolis, by reason of errors alleged to have been therein, manifestly appears: And whereas it hath been adjudged in the said Court of Appeals, at the City of Annapolis aforesaid, on the second Monday in June, in the year of our Lord one thousand eight hundred, and twenty five, that the said judgment given in form aforesaid, be in all things affirmed and ratified, and that the said Benjamin Perry and Gassaway Perry, might have execution against the said Warren Magruder, for as well the debt, damages, costs and charges aforesaid, as adjudged unto them in the said County Court, as also for the sum of ten dollars and twenty two cents for their damages, costs and charges by them sustained by reason of delaying the execution of the judgment aforesaid, by means of the prosecuting a certain appeal by the said Warren Magruder before the said Court of Appeals, for the correcting of errors of and upon the premises, whereof the said Warren Magruder is convict, as of record et likewise appeareth.

And whereas also on the Eleventh day of November, in the year of our Lord one thousand, eight hundred and thirty three, you were commanded, that of the goods and chattels, lands and tenements, of the said Warren Magruder, being in your bailiwick, you should cause to be made the debt, damages, costs and charges aforesaid, and that you should have those sums before the said Court of Appeals to be held at the City of Annapolis on the first Monday in December then next, to render unto the said Benjamin Perry and Gassaway Perry administrators as aforesaid, the debt, damages, costs and charges aforesaid; on which said first Monday in December, in the year One thousand eight hundred and thirty three you made return to the said Court of Appeals, that by virtue of the said writ to you directed for that purpose, you had taken part of Magruder's Discovery and part of the resurvey on part of Hensley, and part of Addition to Hensley and part of Addition to Remains containing 430 acres more or less of the Lands and tenements of the said Warren Magruder in your bailiwick being, to satisfy unto the said Benjamin Perry and Gassaway Perry, administrators as aforesaid the debt, damages, costs and charges aforesaid, in the said writ mentioned which said lands and tenements remained in your hands unsold for want of buyers, so that the said debt, damages, costs, and charges, you could not have as you were by the said writ commanded, therefore as you are hereby commanded that the said lands, and tenements so as aforesaid taken, you expose to sale, and and the money therefrom arising you have before the said Court of Appeals to be held at the City of Annapolis on the second Monday in June next, to render unto the said Benjamin Perry and Gassaway Perry administrators as aforesaid, the debt, damages, costs and charges aforesaid, and all such

costs as have accrued on the said Writ of fieri facias, and how you shall execute this writ you make appear unto the said Court of Appeals, at the place and on the day aforesaid, and have you then and there this writ. Witness the Honorable John Buchanan Esquire, Chief Judge of the said Court of Appeals, the seventh day of December, in the year of our Lord one thousand eight hundred and thirty five.

Issued the 2nd day of April 1836.

(Forrest) John Johnson Clk

Which said writ of Venditioni Exponas was thereon endorsed as follows to wit

Benjamin & Gassaway Perry administrators of Mary Ann Magruder use of John W. Anderson vs Warren Magruder

Debt $413 Current money Dams. $900 Current money, Costs $5.16⅔. Court of App. costs $10.22. Cost of Feat. Sci fa $6.13 ad. costs $2.74. To be released on payment of $413 with interest from the 31st of March 1815 till paid, and the above costs & costs — $100 paid 31st March 1818. $40 paid 2nd Dec. 1826. Conting. ad costs of Land sold under this writ $9.25.

And now at this day, to wit, the said second Monday in June being the thirteenth day of the said month, in the year of our Lord, one thousand eight hundred and thirty six, and the return day of the foregoing writ, comes into the Court of Appeals here, the said Benjamin and Gassaway administrators as aforesaid, by their Attorney aforesaid, and the Sheriff of Montgomery County aforesaid, to whom the said writ was in form aforesaid directed to wit R. R. Waters gentleman, makes return thereof to the Court here, thus endorsed to wit: Property on hand for want of buyers —

R. R. Waters Shff

The Schedule referred to in the said return, is as follows to wit:

State of Maryland Montgomery County to wit,

An Inventory of the lands and tenements of Warren Magruder seized and taken by virtue of a writ of fifa, issued out of the Court of Appeals at the suit Benjamin & Gassaway Perry, administrators of Mary Ann Magruder, use of John W. Anderson, and now to be sold under a writ of Venditioni Exponas, issued out of said Court, at the suit of the aforesaid parties, and appraised by us the subscribers, who being first duly sworn, by the Sheriff of said County for that purpose, as Witness our hands & seals this 29th of April 1836.

To wit, all the right title dams and interest of the said Warren Magruder, in and to the following tracts or parcels of land lying and being in said County part of Magruder's Discovery, and part of the resurvey, on part of Hensley & part of the addition to Henly, and part of the addition to Remains, containing 430 Acres more or less, with the improvements thereon

430 Acres valued at $5 pr acre. $2150

Geo. P. Hood (Seal)
Richard Lacy (Seal)
his
John + Crown (Seal)
mark
James A. Riley (Seal)

Test Ry Lilly for Richard W. Sheriff

Test Richard W. Gill Clk

Benjamin & Gassaway Perry Administrators of Mary Ann Magruder use of John W. Anderson vs Warren Magruder

Be it Remembered, That heretofore, to wit, on the fifth day of September, in the year of our Lord, one thousand, eight hundred and thirty six, Benjamin & Gassaway Perry Administrators of Mary Ann Magruder