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Kyle by Thomas S. Alexander their attorney prosecuted and sued forth out of the Court of Appeals here a writ of the State of Maryland of fieri facias to the Sheriff of Anne Arundel County directed, in the words and figures following to wit:

Maryland, Sc. The State of Maryland to the Sheriff of Anne Arundel (Seal) County greeting. Whereas at a County Court begun and held at the City of Annapolis in and for Anne Arundel County on the fourth Monday of October in the year of our Lord one thousand eight hundred and thirty seven a certain Isabella Dinsmore and Adam B. Kyle by the judgment of the said Court recovered against a certain George W. Higgins Joshua Higgins and Richard W. Higgins late of said County yeomen as well the sum of two thousand dollars current money for their damages which they had sustained by occasion of the non performance of a certain promise and assumption to the said Isabella Dinsmore and Adam B. Kyle by the said George W. Higgins Joshua Higgins and Richard W. Higgins before that time made as the sum of nine Dollars and sixty eight cents and one third of a cent for their costs and charges by them about their suit in that behalf laid out and expended whereof the said George W. Higgins Joshua Higgins and Richard W. Higgins are 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 first Monday in December in the year of our Lord one thousand eight hundred and thirty nine that the said judgment given in form aforesaid be in all things affirmed and ratified, and that the said Isabella Dinsmore and Adam B. Kyle might have execution against the said George W. Higgins Joshua Higgins and Richard W. Higgins for as well the damages costs and charges aforesaid as adjudged unto them in the said County Court as also for the sum of ten dollars and thirty seven 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 George W. Higgins Joshua Higgins and Richard W. Higgins before the said Court of Appeals for the correcting of errors of and upon the premises whereof the said George W. Higgins Joshua Higgins and Richard W. Higgins are convict as of record it likewise appeareth. Therefore you are hereby commanded that of the goods and chattels lands and tenements of the said George W. Higgins Joshua Higgins and Richard W. Higgins being your bailiwick you cause to be made the damages costs and charges aforesaid and have you those sums of money 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 Isabella Dinsmore and Adam B. Kyle the damages costs and charges aforesaid. Hereof fail not at your peril and have you then and there this writ. Witness the Honourable John Buchanan Esquire chief Judge of the Court of Appeals the seventh day of December in the year of our Lord one thousand eight hundred and forty. Issued the eleventh day of February eighteen hundred and forty one. (Alexander.) Richard W. Gill, Clerk.

Which said writ of fieri facias was thereon endorsed as follows to wit. Damages two thousand dollars current money. costs nine dollars sixty eight and one third cents. Court of Appeals costs ten dollars thirty seven cents additional cost one dollar seventy six cents. contingent additional cost if

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land sold under this writ. nine dollars twenty five cents. To be released upon the payment of eight hundred and thirty six dollars sixty eight cents with interest thereon from the twenty fourth day of March eighteen hundred and thirty six be paid also upon the payment of four per cent per annum in addition to the interest aforesaid upon the sum of eight hundred and thirty six dollars sixty eight cents from the 23rd day of October eighteen hundred and thirty seven up to the time of the performance of this judgment and the above costs.

And now at this day to wit, the said second Monday in June being the fourteenth day of the said month, in the year of our Lord one thousand eight hundred and forty one, and the return day of the foregoing writ comes into the Court of Appeals here, the said Isabella Dinsmore and Adam B. Kyle by Thomas S. Alexander their attorney aforesaid and the Sheriff of Anne Arundel County aforesaid to whom the said writ was in form aforesaid directed, to wit, John S. Selby, Esquire gentleman, makes return thereof to the Court here, thereon endorsed, to wit.

To the Honorable the Judges of the Court of Appeals for the Western Shore of Maryland. I John S. Selby Sheriff of Anne Arundel County do hereby certify that in virtue of the within writ of fieri facias to me directed I levied upon all that parcel of land situate lying and being in Anne Arundel County being part of a tract of land called Dunnalls Range which was conveyed to Richard W. Higgins by Nicholas Brewer Junior by deed bearing date the thirty first day of December in the year eighteen hundred and thirty six, of the lands and tenements of Richard W. Higgins named in the said writ and that having given due notice of the same I did on the twenty seventh day of April eighteen hundred and forty one expose the same to public sale to the highest bidder for cash when James Higgins became the highest bidder at and for the sum of seven hundred and fifty dollars and hath paid me the said purchase money out of which after deducting the sum of fifteen dollars for expenses and fees due to me. I have paid the sum of seven hundred and thirty five dollars to the plaintiff in the said writ named. And herewith make return of said writ made and satisfied plaintiff the sum of seven hundred and fifty dollars of the damages costs and charges and the said defendants have no goods and chattels lands and tenements in my bailiwick out of which I could make the residue of said damages costs and charges so answers.

John S. Selby. Shff.

Ex.d

Test, Richard W. Gill. Clerk.