I could give him notice, as by the said writ I am commanded, nor is the said James found in the same. So answers — Thos. Keller, Shff.

And the said Jacob Brewer, of John, and George Keefer, Terre Tenants of the said Lot or part or division of the same of which the said James Prather was seized &c. being so forewarned, now here come by Robert M. Lidball, their attorney. And thereupon on motion of the said George F. Warfield, by his attorney aforesaid it is ruled by the Court here, that the said Jacob Brewer of John, and George Keefer, Terre Tenants as aforesaid, answer to the writ of Scire Facias aforesaid or execution will be awarded against them in default thereof, to be levied &c.

Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by order of the Court here, and in conformity with the act of Assembly, is continued until the fourth Monday of March next. At which said fourth Monday of March, being the twenty seventh day of the same month in the year of our Lord one thousand eight hundred and forty three come into Court here the parties aforesaid by their attorneys aforesaid. And the said Jacob Brewer, of John, one of the Terre Tenants aforesaid by his attorney aforesaid, comes and defends the wrong and injury when &c. and prays a hearing of the writ of Scire Facias aforesaid, and to him it is read as follows to wit:

Washington County, to wit: — The State of Maryland, to the Sheriff of Washington County Greeting: Whereas at a County Court begun and held at Hagers Town in and for the County aforesaid, on the third Monday of November, in the year of our Lord one thousand eight hundred and twenty two, a certain Alexander Manro, by Judgment of the same Court recovered against a certain James Prather and Elie Prather, late of Washington County as well the sum of seven hundred and thirty dollars, current money, damages, as also the sum of sixteen dollars, eighty seven and one third cents for his costs and charges, by him about his suit in that behalf laid out and expended, whereof the said James and Elie are convict, as it appears of record. And whereas a writ of Scire Facias was sued out of Washington County Court aforesaid returnable to the March Term of said Court eighteen hundred and thirty two, on the judgment aforesaid, which said Scire Facias was returned by the Sheriff of said County, to the Term aforesaid, as made known to said James Prather, and whereas at a County Court of the same County, begun and held at Hagers Town, on the third Monday of November, eighteen hundred and thirty two, it was considered by the said Court, that the said Alexander Manro, should have his execution against the said James Prather for the damages, costs and charges aforesaid, as also the sum of seven dollars, sixty one and two third cents for his costs and charges which he had sustained by reason of the delay of the execution of the judgment aforesaid, as by the record thereof in said County manifestly appears; and whereas the said Elie Prather, is since deceased, to wit, at the County aforesaid as by the suggestion of the said Alexander Manro, it hath been stated: and whereas the said Judgment were entered to and for the use of a certain George F. Warfield, as it appears of record; and whereas the said Alexander Manro, is since deceased, to wit, at the County aforesaid, and there is now no

administration on his estate as by the suggestion of the said George F. Warfield it hath been stated; and now in behalf of the said George F. Warfield, it hath been understood in said Court, that although the judgment last aforesaid is given, yet execution for the damages, costs and charges aforesaid still remains to be made for him; Whereupon the said George F. Warfield hath besought that a proper remedy may be granted him in this behalf; and as under the act of Assembly in such case made and provided equitable assignees of Judgments may issue Scire Facias in their own name, to revive the same, without administration being granted upon the estate of the legal plaintiff; and whereas the said James Prather, at the time of the rendition of the first judgment aforesaid, was seized of divers lands and tenements in his demesne as of fee, and execution of that and the last aforesaid judgment yet remains to be done, as by the suggestion of the said George F. Warfield, it hath been stated; wherefore the said George F. Warfield, hath prayed that a proper remedy in this behalf be granted him; and as it is right that these things which in said Court are lawfully transacted and adjudged, should be carried into due and speedy execution. You are therefore hereby commanded that by good and lawful men of your bailiwick you make known unto the same James Prather, and his Terre Tenants of all the lands and Tenements in your bailiwick, whereof the said James Prather, on the said third Monday of November, in the year of our Lord one thousand eight hundred and twenty two, or ever afterwards was seized, that he, she or they may be and appear before the said County Court, to be held at the Court House, in Hagers Town, in said County, on the third Monday of November, instant, to shew cause if he she or they have or can say any thing for him her or themselves why the said George F. Warfield ought not to have his execution against him her or them for the damages, costs and charges last recovered as aforesaid according to the force form and effect of the recovery aforesaid if he, she or they shall think fit, and further to do and receive what the said Court shall then and there consider consider concerning him, her or them in this behalf and have there the names of those by whom you shall give him her or them notice and this writ — Witness the Hon. John Buchanan, Esq. Chief Judge of our said Court, the 28th day of March 1842. Issued the 16th day of November 1842.

O. H. Williams, Clk.

Washington County, to wit: By virtue of the within writ, to me directed, I hereby certify to the Honorable the Judges of Washington County Court, that on the 17th day of November 1842, by John G. Stone and Samuel Boyd, two good and lawful men of my bailiwick I made known unto Jacob Brewer, of John, the tenant of a portion of ground lying and being in the County aforesaid, being the West part or division of Lot number eighteen in the Town of Clear Spring containing for the same part twenty eight feet in breadth and one hundred and ninety eight feet in length, and on the same day by John G. Stone and Samuel Boyd, two good and lawful men of my bailiwick I made known to George Keefer, terre-tenant of a portion of ground lying and being in the County aforesaid being the East part or division of