for which said debt damages, costs and charges the said John A. Clarke and certain Philip Clarke and Benedict J. Abell on the eleventh day of August in the year of our Lord one thousand eight hundred and forty eight before Jo. Spalding and J. G. Spalding, Esquires, two of the Justices of the peace of the said State, for Saint Mary's County aforesaid, did confess judgment to the said Thomas H. Miles the said debt damages, costs and charges, to be levied of their bodies, goods or chattels lands or tenements, for the use of the said Thomas H. Miles in case the said John A. Clarke should not pay and satisfy to the said Thomas H. Miles the said debt damages, costs and charges so as aforesaid recovered against him with the additional costs thereon, on the eleventh day of February then next following, according to the act of Assembly in such case made and provided: which said confession in form aforesaid taken was by the same justices returned to the said Court of Appeals, and whereof the said John A. Clarke, Philip Clarke and Benedict J. Abell are convict, as of record is manifest. Therefore, you are hereby commanded That of the goods and chattels lands and tenements of the said John A. Clarke Philip Clarke, and Benedict J. Abell being in your bailiwick you cause to be made the debt 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 Thomas H. Miles the debt damages, costs and charges aforesaid - Here of fail not at your peril, and have you then and there this writ. - Witness the Honorable Thomas B. Dorsey Esquire, Chief Judge of the Court of Appeals, the fourth day of December in the year of our Lord one thousand eight hundred and forty eight - Issued the ninth day of March 1849.

Richard W. Gill, Clerk

(Harris.)

Which said writ of Fieri Facias was thereon endorsed as follows to wit:

Debt five hundred and fifty dollars current money - Damages eleven hundred dollars current money costs eight dollars eighty eight and one third cents - Court of Appeals costs eight dollars and two cents additional costs one dollar and twenty three cents - Contingent additional costs if land sold under this writ - nine dollars and twenty cents - To be released upon the payment of five hundred and fifty dollars with interest thereon from first day of January eighteen hundred and thirty nine till paid and the above costs and costs -

And now at this day to wit, the said second Monday in June being the eleventh day of the said month, in the year of our Lord, one thousand eight hundred and forty nine, and the return day of the foregoing writ, comes into the Court of Appeals here, the said Thomas H. Miles by Benjamin G. Harris his attorney aforesaid; - And the sheriff of Saint Mary's County aforesaid, to whom the said writ was in form aforesaid directed, to wit: John B. Hayden, gentleman, makes return thereof to the Court here, thus endorsed, to wit:-

Said as per Schedule and property sold to Philip Clarke for eleven hundred and fifty one - terms of sale not complied with therefore on hand. -

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



Saint Mary's County, to wit: We the subscribers being duly summoned and sworn by the sheriff of the County aforesaid by virtue of a writ of the State of Maryland of Fieri Facias at the suit of Thomas H. Miles use of Huvily Smith use of Pike and Penn and Benj.n G. Harris well and truly to appraise the goods and chattels lands and tenements of John A. Clarke, Philip Clarke and Benedt. J. Abell, do apprise the same in current money as the property of the aforesaid John A. Clarke as follows, to wit, one Lot and houses in Leonard Town near the Court House lately used as a Hotel and now occupied as a female school called Saint James Institute - $2500: 00

Given under our hands and seals this 1st day of May 1849.

Jo. Spalding (Seal)
John Parsons (Seal)
Gc. J. Spalding (Seal)
John T. Graves (Seal)

Jno. B. Hayden, Shff. -

Test,

Richard W. Gill, Clerk -

Thomas H. Miles use of Huvily Smith use of Pike and Penn for $615.21 with interest from the 14th March 1844 use of Benjamin G. Harris for $115.93 with interest from 14th August 1845 -

vs

John A. Clarke, Philip Clarke and Benedict J. Abell. -

Be it remembered, That heretofore, to wit, on the 2d day of July in the year of our Lord one thousand eight hundred and forty nine Thomas H. Miles by Benjamin G. Harris his 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 Saint Mary's County directed, in the words and figures following to wit:

Maryland Sc: The State of Maryland, to the sheriff of Saint Mary's (Seal) County Greeting: Whereas at a County Court, begun and held at Leonard Town in and for Saint Mary's County on the first Monday of March in the year of our Lord one thousand eight hundred and forty four a certain Thomas H. Miles by the judgment of said Court recovered against a certain John A. Clarke late of Saint Marys County yeoman as well the sum of five hundred and fifty dollars current money debt eleven hundred dollars for his damages which he had sustained as well by reason of the detention of that debt, as also the sum of eight dollars eighty eight and one third cents for his costs and charges by him about his suit in that behalf laid out and expended whereof the said John A. Clarke 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 reasons 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