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 eighteen hundred and forty nine. —

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 five cents — To be released upon the payment of five hundred and fifty dollars with interest thereon from the 1st day of January eighteen hundred and thirty nine — 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: —

Laid as per schedule and property sold to P. Clarke for $1151: 00. terms not complied with, therefore still 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 Elvily Smith use Pike and Penn and B. G. Harris will and truly to appraise the goods and chattles Lands and tenements of John A. Clarke and Philip Clark and Benedict I. Abell John B. Abell and and Joseph Abell do appraise the same in current money as the property of the aforesaid John A. Clark as follows to wit:

One Lot and huses in Leonard Town, near the Court house lately used as a Hotel and now occupied as a female shool called Saint James Institute - - - - - - - - - - - - - - - $2500: 00

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

Jo. Spalding. (Seal)
Gc. I. Spalding. (Seal)
John Parson Jr. (Seal)
John T. Graves. (Seal)

Jno. B. Hayden, Shff. —

Test,

Richard W. Gill Clerk. —

Thomas H. Miles use of
Elvily Smith use of
Pike and Penn for $615: 21
with interest from 14th March
use Benjamin G. Harris for
$115: 93 with interest from 14th
August 1845. —

vs.

John A. Clarke Philip Clarke
Benedict I. Abell John B. Abell
and Joseph 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, &c: The State of Maryland, To the sheriff of Saint Mary's 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 the said Court, recovered against a certain John A. Clarke late of Saint Mary's County yeoman as well the sum of five hundred and fifty dollars current money a certain debt, as the sum of eleven hundred dollars for his damages, which he had sustained 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, for which said debt damages, costs and charges, the said John A. Clarke Philip Clarke and B. I. Abell on the eleventh day of August in the year eighteen hundred and forty six before Lo. H. Stone and W. H. Milburn Esquires, two of the Justices of the Peace of the said State, for Saint Mary's County 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 and 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 the additional costs thereon on the fourteenth day of February then next, 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 County Court of Saint Mary's County and whereof the said John A. Clarke Philip Clarke and B. I. Abell 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 reasons of errors alleged to have been therein manifestly appear. 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