the said writ was in form aforesaid directed make return thereof to the Court here thus endorsed Executed, "Property still on hand for want of buyers" Wm. McDonald late Sheff.

And be it further remembered that on the said thirty first day of December in the year Eighteen hundred and twenty one, the said Owen & Longstreth by their Attorney aforesaid prosecuted & sued forth out of the Court of Appeals here aforesaid and upon the judgment aforesaid so as aforesaid in the said Court of Appeals affirmed and in manner & form as aforesaid acknowledged & confessed, a writ of the State of Maryland of Scire facias to the Coroner or Coroners of Caroline County directed in the words & figures and of the tenor following Tolwit,

The State of Maryland, To the Coroner or Coroners of Caroline County Greeting:

Seal of Eastern Shore Court of Appeals

Whereas at a County Court held at Denton in and for Caroline County on the second Monday of October in the year of Our Lord 1818, a certain Owen & Longstreth by Consideration of the same Court did recover judgment against a certain Frederick Holbrook for as well the sum of five thousand dollars current Money for their damages which they had sustained by occasion of the Non performance of certain promises and Assumptions there before that time by the said Frederick Holbrook to the said Owen & Longstreth made as the sum of six dollars forty one and one third cents for their Costs and charges by them about their suit, in that behalf laid out and expended, whereof the said Frederick Holbrook is convicted as by the record and proceedings of the said County Court, which was lately caused to be brought into the said Court of Appeals held for the Eastern Shore of the said State at Easton in Talbot County for certain Causes of error in the same to be Corrected is Manifest. And whereas also afterwards to wit, in the said Court of Appeals held for the Eastern Shore of the said State at Easton in Talbot County on the first Monday of June in the year of Our Lord 1819, the said Owen & Longstreth did recover judgment against the said Frederick Holbrook for one other sum of Nine Dollars and twenty five Cents, which into the said Owen & Longstreth was by the said Court of Appeals adjudged for their Costs and Charges, which they had sustained by reason of the delay of the execution of the judgment aforesaid by pretence of prosecuting an Appeal of and upon the said judgment by him the said Frederick Holbrook, before the said Court of Appeals, wherein that judgment was by the said Court of Appeals in all things affirmed, as by the record and proceedings of the said Court of Appeals manifestly appears. For which said damages Costs & Charges the said Frederick Holbrook and a certain George Collins, Jas. Sangston and Jas. Keene on the 23d day of May in the year of Our Lord 1820, appeared before Robert Bruff Esqr. One of the justices of the Orphans Court for Caroline County & did confess judgment to the said Owen & Longstreth, the said damages costs & charges aforesaid to be levied of their goods goods & Chattels, lands & tenements for the use of the said Owen & Longstreth, in Case the said Frederick Holbrook should not pay and satisfy to the said Owen & Longstreth the said damages Costs & Charges aforesaid, recovered against him, according to the Act of Assembly in such Case Made & provided with the additional Costs thereon at the respective times herein after Mentioned, to wit, One third part thereof with the interest due on the whole sum and all the Costs on or before the thirtieth day of November 1820; one third part thereof with the interest on the whole sum then unpaid & all with the additional costs, on or before the first day of May, in the year Eighteen hundred and twenty one; and the residue thereof with interest thereon, and additional Costs, on or before the thirtieth day of November in the year eighteen hundred & twenty one; which said Confession in form aforesaid taken, was by the justices aforesaid returned to the Court of Appeals here, as of record is manifest, whereof the said Frederick Holbrook George Collins James Sangston & James Keene are convicted, as of the record is manifest.

We therefore Command you, That of the goods & Chattels, lands & tenements of the said Frederick Holbrook George Collins, James Sangston, & James Keene, being in your Bailiwick you Cause to be Made & levied two thirds of the damages aforesaid with the interest thereon & additional cost, and have you those sums of Money before the Court of Appeals to be held for the Eastern Shore of the said State at Easton, in Talbot County on the first Monday of June next to satisfy unto the said Owen & Longstreth the damages Costs & Charges aforesaid. Hereof fail not at your peril & have you then and there this writ, Witness the Honorable Jeremiah T. Chase Esquire Chief Judge of the Court of Appeals the 28th day of November 1821. Issued the 31st day of December 1821.

[K.] James Purnell Clk.

At which said first Monday of June next being the third day of the same Month in the year of our Lord Eighteen hundred & twenty two and the return day of the last aforegoing writ, comes into the

Court of Appeals here the said Owen & Longstreth by their Attorney aforesaid, and the Coroner of Caroline County to whom the said writ was in form aforesaid directed, makes no return thereof to the Court here, nor hath he done any thing therein.

And the said Owen & Longstreth by their Attorney aforesaid file in the Court of Appeals here the following Affidavit and Order of Appointment, Tolwit,

Maryland ss. Be it remembered that on the sixth day of May in the year of Our Lord eighteen hundred & twenty two personally appeared before me the subscriber One of the Justices of the peace of the State of Maryland in and for Talbot County, John Leeds Kerr of Talbot County & being sworn on the Holy Evangels of Almighty God, deposeth & saith, that on or before about the thirty first day of December eighteen hundred and twenty one a certain writ of Scire facias, appears to have been issued out of the Court of Appeals for the Eastern Shore, in the names & at the suit of Owen & Longstreth against Frederick Holbrook, George Collins, James Sangston and James Keene, upon a judgment obtained or affirmed in the said Court of Appeals, on the first Monday of June eighteen hundred & nineteen, in the names of the said Owen & Longstreth against the said Frederick Holbrook & as appears as follows, on the 23d day of May 1820, superseded before Robert Bruff Esquire, one of the Justices of the Orphans Court of Caroline County; and that as the said Frederick Holbrook was the Sheriff of Caroline County the said writ of Scire facias was directed to the Coroner Coroners of Caroline County; And this deponent further saith that he is informed & verily believes, that there is no Coroner in Caroline County, duly Qualified, according to law, to execute the said writ of Scire facias & that the said Frederick Holbrook being the principal Defendant in the said writ named, he apprehends the same writ, cannot be safely directed to him & that he the said Holbrook "cannot safely be trusted with the execution thereof

Sworn before Lambert Clayland.

Maryland ss. Whereas John Leeds Kerr Attorney at law for Owen & Longstreth, having made this within Affidavit, in effect stating that Frederick Holbrook, of Caroline County & now Sheriff of Caroline County, being a Defendant in a certain judgment obtained or affirmed in the Court of Appeals of the State of Maryland for the Eastern Shore, at June Term eighteen hundred & nineteen, in the names of said Owen & Longstreth against the said Frederick Holbrook, and afterwards superseded according to the form of the Act of Assembly in such Case made & provided, before Robert Bruff, Esquire One of the justices of the Orphans Court for Caroline County, by the said Frederick Holbrook, George Collins James Sangston & James Keene, on the 23d day of May eighteen hundred & twenty as it appears cannot safely be trusted with the execution of the said writ, and that there is no Coroner now qualified to execute the same; I have therefore in Virtue of the Act of Assembly in such case made & provided, appointed and do by these presents appoint William McDonald of Caroline County Gentleman, Elisor, to execute a writ of Scire facias, or Capias ad satisfaciendum about to be issued out of the said Court of Appeals upon the Judgment aforesaid. Given under my hand and Seal, at Cambridge, this 28th day of May in the year of Our Lord eighteen hundred and twenty two. William Wallaston (Seal).

And be it further remembered that on the twentieth day of June in the year of Our Lord eighteen hundred and twenty two, the said Owen & Longstreth, by their Attorney aforesaid prosecuted and sued forth out of the Court of Appeals here aforesaid and upon the judgment aforesaid so as aforesaid in the said Court of Appeals affirmed, and in Manner & form as aforesaid acknowledged & confessed, a writ of the State of Maryland of Venditioni Exponas, to William McDonald late Sheriff of Caroline County directed in the words & figures & of the tenor following Tolwit,

The State of Maryland, To William McDonald late Sheriff of Caroline County Greeting:

Seal of Eastern Shore Court of Appeals

Whereas at a County Court begun & held at Denton in and for Caroline County on the second Monday of October, in the year of Our Lord 1819, a certain Owen & Longstreth by Consideration of the same Court, did recover judgment against a certain Frederick Holbrook for as well the sum of five thousand dollars Current Money for their damages which they had sustained by reason of the Non performance of certain promises & Assumptions as the sum of Six Dollars & forty one & one third cents for their costs and charges by them about their suit in that behalf laid out & expended, whereof the said Frederick Holbrook, is convicted as by the record and proceedings of the said County Court which was lately caused to be brought into the Court of Appeals, held for the Eastern Shore of the said State at Easton in Talbot County for certain Causes of error in the same to be Corrected is Manifest. And whereas also afterwards to wit, in the said Court of Appeals, held for the Eastern Shore of the said State at Easton in Talbot County, on the first Monday of June, in the year of Our Lord 1819, the said Owen & Longstreth did recover Judgment against the said Frederick Holbrook for one other Sum of Nine Dollars & twenty five cents which into the said Owen & Longstreth was by the said Court of Appeals in all things adjudged for