Honorable Richard Bilgham Carle, Esquire, Chief Judge of the said County Court, the 20 day of September Anno Domini 1813. Issued this 5th day of January Anno Domini 1814. — Ben: Chambers Clk.

At which mentioned third monday of March, being the twenty first day of the same month, in the year eighteen hundred and fourteen, and the day of the return of the aforegoing writ, comes into the County Court here the said Philip Wallis, Executor as aforesaid, by his Attorney aforesaid, and the Sheriff of Kent County aforesaid, to wit; Edward Browne, Esquire, Gentleman, to whom the said writ was in form aforesaid directed, makes return thereof, to the Court here, thus endorsed, to wit, "Kent County Set. By virtue of this writ, to me directed, I have taken the within named Mary Comegys and George Comegys, Administrators of Samuel Comegys, deceased, and them I have ready, before the County Court, within named, at the day and place within contained, as I am within Commanded. — So answers — Edward Browne Sheriff." —

And the said Mary and George Comegys, Administrators as aforesaid, being called, appear in Court here, by Isaac Spencer their Attorney, and the said Philip Wallis, Executor as aforesaid by his Attorney aforesaid, Declares, in Court here, against the said Mary and George Comegys, Administrators, as aforesaid, on the plea aforesaid, and in manner and form following, to wit, — State of Maryland, Kent County, to wit, Mary Comegys and George Comegys late of Kent County aforesaid, Administrator and Administratrix of all and singular the Goods and Chattels, rights and Credits which were of Samuel Comegys late of Kent County aforesaid Deceased, at the time of his Death, who died intestate, not it is said, otherwise, lately called Samuel Comegys of Kent County & State of Maryland, was summoned to answer unto Philip Wallis, Executor of the Testament and last Will of Bathsheba Cosden, in a plea, that the said Mary and George render unto the said Philip, the sum of two thousand Dollars Current money which from him they unjustly detain and forsoth. — And whereupon the said Philip, by J. C. Barroll his Attorney, says, that whereas the said Samuel, in his lifetime, to wit, on the tenth day of October, in the year Eighteen hundred and nine, at Kent County aforesaid, by his certain writing Obligatory, acknowledged himself to be held and firmly bound unto the said Bathsheba guardian of Philip Wallis, in the full and just sum of two thousand Dollars, Current money, to be paid unto her the said Bathsheba, when he the said Samuel should be afterwards, thereto requested. — Nevertheless the said Samuel, in his lifetime, and the said Mary and George, or either of them, since the death of the said Samuel (although often thereto required) hath not paid the said sum of two thousand Dollars Current money, or any part thereof, to the said Bathsheba, in her lifetime, or to the said Philip, since the death of the said Bathsheba, but the same, or any part thereof, to the said Bathsheba, in her lifetime or to the said Philip, since the death of the said Bathsheba, to render or pay, he the said Bathsheba Samuel, in his lifetime, and the said Mary and George, since the Death of the said Samuel, have hitherto refused, and the same to the said Philip, to render or pay, the said Mary and George still do refuse to the Damage of the said Philip, in the sum of four thousand Dollars, Current money, and therefore he brings suit thereforth, and the said Philip brings here into Court, as well the writing Obligatory aforesaid, sealed with the seal of the said Samuel in his lifetime, which testifies the debt afs; in form aforesaid, the date whereof is the same day and year aforesaid, as the letters testementary of the said Bathsheba, whereby it sufficiently appears to the Court here, that he the said Philip is Executor of the Testament and Last will of the said Bathsheba, and therefore has administration. — J. C. Barroll Atty for Pltff Plaintiffs. J. Doe & R. Roe. —

Oyer of the Bond and Condition is as follows, to wit. — Know all men by these presents, that I Samuel Comegys of Kent County and State of Maryland, are held and firmly bound unto Bathsheba Cosden, Guardian of Philip Wallis in the sum of two thousand Dollars Current money of Maryland, to be paid to the said Bathsheba Cosden, her certain Attorney, Executors, Administrators or Assigns, to which payment well and truly to be made, I bind myself, my Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with my seal, dated this 10th day of October in the year of our Lord one thousand eight hundred and nine. —

The Condition of this obligation is such, that if the above bounden Samuel Comegys, his Heirs, Executors, Administrators, or any of them, shall and do, well and truly pay, or cause to be paid unto the above named Bathsheba Cosden Guardian as aforesaid, her certain Attorney, Executors, Administrators or Assigns, the just sum of one thousand Dollars Current money, on or before the first day of January, one thousand eight hundred and thirteen, with legal Interest from the date hereof to be paid annually every year, without any fraud or further delay, then the above Obligation to be void, or else to be and remain in full force and virtue. Samel Comegys (Seal) Sealed and delivered in the presence of Wm Barroll. — Recd 15 Feby 1811 of Saml Comegys, through the hands of George Comegys, the sum of Sixty Dollars, being the Interest being the Interest on the

within Bond up to the tenth day of October last. — $60.00. — B. Cosden. —

Recd October 18th 1811. of Mr Samuel Comegys, through the hands of George Comegys, the sum of sixty Dollars, being the Interest on the within Bond up to the 18th Oct. — B. Cosden. —

Thereupon on motion of the said Philip Wallis, Executor as aforesaid, by his Attorney aforesaid, it is ruled by the Court here, that the said Mary and George Comegys, Administrators as aforesaid, answer the Declaration aforesaid of the said Philip Wallis Executor as aforesaid, in the plea aforesaid, or Judgment by the Court here, will be rendered against them in default thereof; and the said Mary and George Comegys, Administrators as aforesaid, by their Attorney aforesaid pray leave of the Court here, to imparle until the third monday of September next, and then to answer to the Declaration aforesaid of the said Philip Wallis, Executor as aforesaid, in the plea aforesaid, and unto them it is granted, the same day is given to the aforesaid Philip Wallis, Executor as aforesaid also, At which mentioned third monday of September, being the twenty first day of the same month, in the year Eighteen hundred and fourteen, and to which said day, the said Mary and George Comegys, administrators as aforesaid, had leave to imparle, and then to answer to the Declaration aforesaid of the said Philip Wallis, Executor as afs, in the plea aforesaid, come again into the County Court here, the parties aforesaid, by their Attornies aforesaid. — And thereupon on motion of the said Philip Wallis, Executor as aforesaid, by his Attorney aforesaid, it is further ruled by the Court here, that the said Mary and George Comegys administrators as aforesaid, answer unto the Declaration aforesaid of the said Philip Wallis Executor as aforesaid, in the plea aforesaid, or Judgment, by the Court here, will be rendered against them in default thereof; and the said Mary and George Comegys Administrators as aforesaid, by their Attorney aforesaid, pray leave of the Court here further to imparle until the third monday of March next, and then to answer to the Declaration aforesaid of the said Philip Wallis, Executor as aforesaid, in the plea aforesaid, and to them it is granted, the same day is given to the aforesaid Philip Wallis, Executor as aforesaid also, —

And now here at this day, to wit, the said third monday of March, being the twentieth day of the same month, in the year Eighteen hundred and fifteen, and to which said day the said Mary and George Comegys, Administrators as aforesaid, had leave, further to imparle, and then to answer to the Declaration aforesaid of the said Philip Wallis Executor as aforesaid in the plea aforesaid come again into the County Court here, the parties aforesaid, by their Attornies aforesaid, and the said Mary and George Comegys, Administrators as aforesaid, by their Attorney afs, say, that they cannot deny the action of the said Philip Wallis, Executor as aforesaid, nor but that they the said Mary and George Comegys Administrators aforesaid, detain from the said Philip Wallis, Executor as aforesaid the said sum of two thousand Dollars Current money, in manner and form as the said Philip Wallis, Executor as aforesaid, above thereof in his Declaration complaineth; therefore, it is considered by the Court here, that the said Philip Wallis, Executor as aforesaid, recover against the said Mary and George Comegys, Administrators as aforesaid, as well the sum of two thousand Dollars, Current money, his Debt aforesaid, as the sum of seven Dollars and ninety three cents, for his Damages, which he hath sustained, as well by occasion of the detention of the said Debt, as for his Costs and Charges by him about his suit in this behalf laid out and expended, to be levied of the Goods and Chattels which were of the said Samuel Comegys at the time of his Death, in the hands of the said Mary and George Comegys remaining to be administered, if so much thereof in their hands, to be administered they have, and if so much thereof in their hands, to be administered, they have not, then the said sum of seven Dollars and ninety three cents being the Damages, Costs and Charges aforesaid, to be levied of their proper goods and Chattels of the said Mary & George Comegys &c. — Memorandum. Judgment was rendered in this Cause, on the thirty first day of March, in the year Eighteen hundred and fifteen, for two thousand Dollars, Current money, the penalty of the Bond, and seven Dollars and ninety three Cents, Costs of suit, to be released on payment of one thousand Dollars Current money, with interest from the tenth day of October, in the year Eighteen hundred and nine, until paid and Costs of suit — payments to be allowed. —

Attest. Ben: Chambers Clk.

Afterwards, to wit, on the first day of April, in the year Eighteen hundred and fifteen, the said Mary & George Comegys by his Attorney aforesaid, pray an Appeal from the Judgment aforesaid, so as aforesaid rendered to the Court of Appeals of the State of Maryland, to be held for the Eastern Shore of the said State, and it is granted them, whereupon the said Mary and George Comegys, by their Attorney aforesaid, file in Court here a certain writing Obligatory, commonly called an Appeal Bond, and which is contained in the following words, that is to say. — Know all men, by these presents, that we Mary Comegys, George Comegys Philip Brooks and Thomas Brooks of Kent County, in the State of Maryland, are held and firmly bound unto Philip Wallis, Executor of Bathsheba Cosden of Talbot