Wright (of Thomas) all of Queen Ann's County and State of Maryland, are held and firmly bound unto the said State in the full and just sum of fifteen thousand pounds, Current money, to be paid to the said State, to which payament, well and truly to be made and done, we do hereby bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals, and dated this twenty eighth day of September, in the year seventeen hundred and ninety seven 1797 — Whereas, Cornelia Southeren (late Cornelia Sewell) Executrix of the last Will and Testament of Clement Sewell, late of Queen Ann's County, (deceased) neglected to Counter secure Samuel Turbitt Wright, one of her sureties on her administration of the said Estate, pursuant to an order of the Orphans Court of said County, for that purpose, And whereas, the said Samuel Turbitt Wright is about to possess himself of the said Estate, by virtue of precept to be obtained from the said Court — Now the Condition of the above Obligation is such, that if the above bounden Samuel Turbitt Wright, his Heirs, Executors or Administrators, do and shall, well and truly deliver and pay, all the Goods and Chattels and Credits which shall come to his or their possession, by virtue, or under such precept, or the value thereof, agreably to the Laws of the State of Maryland, to such person or persons as have right to demand the same, when he or they shall be thereto legally required — Then this obligation to be void, otherwise to be in full force and virtue — Sam: T. Wright (Seal) Phil C. Blake (Seal) Thomas Wright (Seal)

signed, sealed, and delivered, in open Court, the words "and Credits" being first interlined — Wm. H. Nicholson Reg:

In Testimony that the aforegoing is truly Copied from the Original bond, as remains of record in my office, I hereto set my hand and affix the public seal of my Office, this 9th day of February, Anno Dom: One thousand eight hundred and eleven — Will H. Nicholson Reg: Wills for Queen Ann's County.

(State of Queen Ann's County Orphans Court)

He also craves oyer of the Original Writ of her the said State sued out in this cause, and he hath it, in these words, to wit — Queen Anns County, to wit, The State of Maryland, to the Sheriff of Queen Anns County, Greeting: You are hereby commanded to take Thomas Wright, late of Queen Ann's County, Gentleman, if he shall be found in your Bailiwick, and him safe keep, so that you have his body before the Judges of the County Court, to be held at Centre Ville, in said County, on the third monday of October next, to answer unto The State of Maryland, of a plea, that he render unto said State, the just and full sum of fifteen thousand pounds, Current money, which to the said State he owes, and from the said State he unjustly detains and so forth — Hereof, fail not, at your peril, and have you there and there this writ — Witnes the Honorable Richard Tilghman Earle, Esquire Chief Judge of our said Court, the sixth day of May Anno Domini, Eighteen hundred and eleven — Issued the 27th day of September, Anno Domini 1811 — (Seal) John Browne Clk: — Which being read and heard, he the said Thomas says, that the said State, her action aforesaid, to have or maintain ought not, because he saith, that by a certain Act of the General Assembly of the State of Maryland, made and passed at a Session of Assembly begun and held at the City of Annapolis on the tenth day of July, in the year seventeen hundred and twenty nine; and ended on the eighth day of August, in the said year, entitled "an additional, and supplementary act to the several acts for the administration of Justice in Testamentary affairs" it was amongst other things enacted, that all actions upon administration, and Testamentary bonds shall be commenced within twelve years from the passing of the said bonds and not after, as by the said act, still in force and unrepealed, more fully appears; and the said Thomas further saith, that the said State did not sue forth her Original Writ in this Cause until on the twenty seventh day of September, in the year Eighteen hundred and eleven, and not before, and that twelve years and more elapsed and expired from the day of the date of the said Writing obligatory, in his said declaration mentioned, before the day of issuing the Original Writ aforesaid, to wit, at Queen Anns County aforesaid, and this the said Thomas is ready to verify &c — wherefore, he prays Judgment if the said State to have or maintain her action aforesaid thereof, against him the said Thomas ought — and the said Thomas with have of the Court here, according to the form of the Statute in such case made and provided, comes further and defends the force and injury when &c — and saith that the said State, her action aforesaid, to have or maintain, ought not, because he saith, that by a certain act of the General Assembly of the (then Province) now State of Maryland, passed at a Session of Assembly, begun and held at the City of Annapolis, on the twenty sixth day of April, in the year of our Lord, One thousand seven hundred and fifteen; and ended on the second day of June, in the year last aforesaid, entitled, an act for limitation of certain actions for avoiding suits at law, it was amongst other things enacted, that no bill, bond, Judgment, Recognizance, Statute, Merchant, or of the Staple, or other speciality whatsoever, except such as shall be taken, in the name, or for the use, of our Sovereign Lord the King, his successors shall be good and pleadable, or admitted in evidence against any person or persons of this province, after the principal debtor and Creditor have been both dead twelve years, or the Debt, or thing in action above twelve years standing, as by the same act ever since, and yet in full force now fully appears; and the said Thomas further saith, that the

Debt or thing in action, in the said writing obligatory and the Condition thereof mentioned, was above twelve years standing at the time of suing out the original writ in this cause, and this he is ready to verify, wherefore, he prays Judgment if the said State, her action aforesaid thereof against him to have or maintain, ought and so forth — and thereupon, the said Thomas Wright, by his said Attornies, prays that the said State of Maryland may reply to the answer of the said Thomas Wright in the plea aforesaid; whereupon, it is ruled by the Court here, that the said State of Maryland reply to the answer of the said Thomas Wright in the plea aforesaid, and if she doth not reply to the said answer of the said Thomas Wright, Judgment will be rendered against her by default; and the said State of Maryland, by her said Attorney prays leave of the Court here, to imparle until the third monday of October next, to reply to the answer of the said Thomas Wright in the plea aforesaid, and she hath it, the same day is given to the said Thomas Wright, then and so forth — At which said third monday of October, being the nineteenth day of the said month, in the year of Our Lord, one thousand eight hundred and twelve; until which day the said State of Maryland had leave to imparle, and then to reply to the answer of the said Thomas Wright in the plea aforesaid, comes as well the said State of Maryland, as the said Thomas Wright, by their Attornies aforesaid, and the said State of Maryland, by her said Attorney, who prosecuteth for the said State in this behalf, saith, that the said State ought not to be precluded from having its action against the said Thomas Wright, by any thing, by him, in his first plea aforesaid, in pleading alledged, because, protesting that the said Samuel T. Wright, in the Condition of the said Writing Obligatory mentioned, hath not performed, fulfilled and kept any part of the matters, things, covenants and agraments in the Condition of the said writing Obligatory mentioned, which he, on the part of him the said Samuel T. Wright ought to have performed, fulfilled and kept, according to the force, form, and effect of the said Condition, to wit, at Queen Ann's County aforesaid, for plea, Nevertheless, the said State, by William Carmichael, who prosecuteth for said State in this behalf, saith, that heretofore, to wit, at a General Court held for the Eastern Shore, in Talbot County, at the Town of Easton, on the second Tuesday of September, in the year Eighteen hundred and three, and on the twenty seventh day of the said Month, before the Honorable Jeremiah T. Chase and others, his Associates, then Judges of the same Court, the said State of Maryland, for the use, and at the instance of the said Robert Lloyd Nicols, Ennalls Martin and Peter Benson, Executors of Thomas Chamberlain, by the Judgment of the said Court, did recover against Cornelia Sewell, Executrix of the last Will and Testament of the said Clement Sewell, as well the sum of twelve hundred and six pounds, nine shillings and four pence, Current money, as the quantity of fourteen hundred and forty pounds of Tobacco, for the Costs and Charges of the said State, about the suit of the said State in that behalf laid out, expended and paid, which was then and there adjudged to the said State, for the damages which the said State had sustained, as well by the reason of the detention of that debt, as for the Costs and Charges of the said State in that behalf laid out, expended and paid, as by the record and process thereof in the said Court there remaining, manifestly appears, which said Judgment, in form aforesaid had and obtained, was for a just debt due from the said Clement Sewell, in his lifetime, to the said State of Maryland, and then, or yet not being paid, or in any manner satisfied, and the said State of Maryland also saith, that the said Judgment, in form aforesaid had and obtained, is still in full force and effect remaining not reversed or satisfied, and that at the death of the said Clement Sewell, the said Cornelia Sewell had, of the goods and Chattels, rights and Credits of the said Clement, at the time of his death, in her hands, to be administered, to the amount and value of the debt, Damages, Costs, and Charges aforesaid, in the said Judgment mentioned, herewith, the said Cornelia could have satisfied and paid the said Debt, Damages, Costs and Charges aforesaid, to wit, at Queen Ann's County aforesaid, but the said Cornelia Sewell did not, nor hath not paid and satisfied the said Debt, Damages, Costs and Charges aforesaid, but hath wasted and misapplied the said Goods, Chattels, rights and Credits which were of the said Clement, at the time of his death, contrary to the form and effect of the said writing obligatory in that behalf, to the said State, made and executed; and the said State further saith, that the said State, after the rendition of the Judgment aforesaid, did imperate and sue forth out of the said General Court, of and upon the said Judgment, the writ of the State of Maryland, of Fieri facias to — — then Sheriff of Queen Ann's County, directed, in which County, the said Cornelia Sewell did reside; and in which, the goods and Chattels, rights and Credits which were of the said Clement, at the time of his death, did lay, by which said writ the said Sheriff was comanded, that of the goods and Chattels, rights and Credits which were of the said Clement at the time of his death, in the hands and Custody of the said Cornelia Sewell, Executrix aforesaid, being in his Bailiwick, he should cause to be made and levied, the debt, damages, Costs and Charges aforesaid, of the said Cornelia, if she had so much of the Goods and Chattels, rights, and Credits which were of the said Clement at the time of his death, in her hands, to be administered, and if he had not so much thereof in her hands to be administered, then the debt, damages, Costs and Charges aforesaid, to be made of the proper goods and Chattels of the said Cornelia; and that the said Sheriff should have these sums before the said General Court, on the day of Eighteen hundred and