following March Term of the said Court to wit on the 14th day of March 1842 Judgment was rendered against the said defendant for the sum of $4673. 69 Cts debt. and $2000 damages and costs. the damages and costs to be released on payment of interest on said debt from the 20th October 1840 and costs and execution to be stayed until the 22d of September 1842. This Defendant further saith that on the 23d day of September 1842. fieri facias was issued on the said Judgments and on the twelfth day of December Eighteen hundred and forty two, the house and premises in the bill of Complaint filed in this cause mentioned was offered for sale. This Defendant further saith that Judgment was also obtained against the said James Shipley at the suit of Thomas C. Worthington adm.r of Charles G. Worthington at Howard District at Anne Arundel County Court on the 14th day of March 1842 for 568 Dollars and 47 Cents debt. and 1000 Dollars Current money and costs the said damages to be released on payment of interest on said debt from the 22d of November 1839 and costs. On which judgment and on the same day by agreement between the parties there was a stay of execution until the 22d day of September 1842 Upon which judgment afterwards to wit on the 23d day of September 1842 fieri facias was issued against the said James Shipley and under it to wit. on the 12th day of December 1842 the house and premises in the said Bill of Complaint mentioned was offered for sale, And this defendant in fact saith that under and by virtue of the two aforementioned writs of fieri facias the said house and the premises in the Bill of Complaint mentioned were on the said 12th of December 1842 offered for sale to the highest bidder by Isaac C Anderson as the Sheriff of Howard District at which sale this defendant became the highest bidder at and for the sum of Fifty Dollars and he herewith files as his first Exhibit (A) the receipt of the said purchase money and he also files transcripts duly sealed and certified of the Records in Howard District of Anne Arundel County Court of the aforementioned judgments under which the said sale took place which he marked Exhibit B and Exhibit C and prays that they together with Exhibit A may be taken as a part of this his answer. This Defendant further saith that it will appear by Exhibit B that on the said judgment at the suit of the State of Maryland for the use of the Commissioners of Anne Arundel County against James Shipley did defendant did on the 16th of March 1843 pay the sum of Five hundred dollars. and the said John G. Worthington the sum of One thousand dollars. and this defendant is responsible in the whole amount unliquidated of the above judgment of $4673. 69 cents with interest from 20th October 1840 and costs which sum amounts to at least to the sum of $1800. This Defendant denies 1st that the said Mortgage in the Bill of Complaint mentioned as made by the said James Shipley to Thomas Lester one of the defendants was bona fide made, This Defendant alleges that the said Shipley was in insolvent circumstances at the date of said Mortgage as he well knew and that all the property he had at that time would fall far short of the payment of his debts, and that said mortgage to the said Lester was fraudulently made to secure the debts which he might thereafter incur with the said Lester to said Lester to the exclusion of the debts which he had previously incurred to others. This defendant further saith that if the second of the aforementioned mortages to wit, that from Lester to McElderry was made at the request of the said James Shipley which this defendant denies, it was so made after the judgment aforesaid had been obtained against the said Shipley and the stay of execution thereon and in combination with the said McElderry fraudulently to prevent the plaintiffs in said judgments from obtaining the amount of the same out of the property mortgaged. But this defendant denies any such request and any power whatever on the part of the said Lester if such request had been made to make such mortgage to said Complainant McElderry

This Defendant is informed and verily believes that the said Thomas Lester before the execution by him of the said assignment of Mortgage to McElderry was paid the whole amount of his claim against the said Shipley excepting possibly a very small sum. Whereas the said assignment to McElderry was to secure the sum of Nine hundred Dollars. and this Defendant finally saith that neither the plaintiffs in the aforementioned Judgments nor the defendants as such are made parties in this cause and that James Shipley one of the defendants to the said Bill of Complaint is substantially complainant and interested in maintaining the claim of the said Complainants.

John S. Tyson Sol. for Defendant.

State of Maryland. Howard District of Anne Arundel County. S.S.

Before the Subscriber a justice of the Peace of Howard District appears William H. Worthington and makes oath that so much of the above answer as he derives from his own Knowledge and observations is true and that so much as he has derived from the information of others he believes to be true.

Sworn to this third day of November 1843. before me. James Martin.

Exhibit A.

Received the 12th December 1842 of Doc.r William H. Worthington Fifty dollars in full payment of the amount on account of property bought this day at Sheriffs sale. House and Lot at Ellicotts Mills sold as the property of James Shipley to satisfy execution due the Commissioners of Anne Arundel County and also executions to due Thomas C. Worthington Exor. of Charles G. Worthington

Isaac C. Anderson
Shff. of Howard District.

Exhibit B.

State of Maryland. Howard District of Anne Arundel County Sct.

At a County Court of the third Judicial District of the State of Maryland begun and held, at the Court house in the Village of Ellicotts Mills in and for Howard District of Anne Arundel County aforesaid on the second Monday of March in the year of our Lord One thousand Eight hundred and forty two, and the Sixty sixth year of the Independence of the United States of America.

Present.

The Honorables. Thomas B. Dorsey Esquire Chief Judge. Thomas H. Wilkinson and Nicholas Brewer Esquires Associate Judges.

Isaac C. Anderson Esq.r Sheriff. — John S. Moore Clerk.

In the record of proceedings of the same Court among others is the following to wit.

State of Maryland instance and use of the Commissioners of Anne Arundel County
against
James Shipley. John G. Worthington Nehemiah Moxley and William H Worthington.

Be it remembered that heretofore to wit on the Eighth day of September in the year of our Lord one thousand Eight hundred and forty one the said the State of Maryland by Thomas S Alexander its attorney prosecuted and sued forth — of the County Court here the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Howard District of Anne Arundel County in the words following to wit. "The State of Maryland. To the Sheriff of Howard District of Anne Arundel County. Greeting. We command you to take James Shipley. John G. Worthington. Nehemiah Moxley and William H Worthington late of Howard District of Anne Arundel County. Yeomen. if they shall be found in your bailiwick that them so taken you safely keep so that you have their bodies before the Judges of the Court of Howard District of Anne Arundel County at the Court house in the same District on the third Monday in September instant to answer unto the State