June Term 1863.

Joseph Fiery vs James B Dell

Be it remembered that heretofore to Wit on the 11th day of April in the year of our Lord 1844 the said Joseph Fiery by Daniel Weisel his attorney pursuant and said Sixth and of the County Court here the Writ of the State of Maryland of Capias ad respondendum to the Sheriff of said County directed in the Words and of the Over Following to Wit.

Washington County to Wit. We State of Maryland to the Sheriff of Washington County Greeting (Seal) We command you to take James B Dell late of Washington County yeoman if he shall be found in your bailiwick and him safe keep that you have his Body before the Judges of our County Court now being held at the Court House in Hagerstown in said County to answer unto Joseph Fiery in a plea that he render unto him the sum of One thousand one hundred and twenty dollars which he owes and unjustly detains and so forth. Witness the Hon John Buchanan Chief Judge of our said Court the 25 day of March 1844, Issued the 11th day of April 1844,

C. H. Williams Clk

And the Sheriff of said County to whom the said Writ was in Form aforesaid directed makes no Return to the Court here of the said writ nor takes the same any thing thereon whereupon the said Defendant voluntarily appears in Court here in his own proper person. And thereupon the said Plaintiff by his attorney aforesaid declares against the said defendant in the plea aforesaid as follows to Wit. State of Maryland Washington County sct. James B Dell late of Washington County yeoman was summoned to answer unto Joseph Fiery in a plea that he render unto him the sum of Eleven hundred and twenty dollars which he owes and unjustly detains and so forth. And whereupon the said plaintiff by Daniel Weisel Attorney says that the aforesaid defendant heretofore to Wit on the 11th day of April in the year of our Lord 1844 at the County aforesaid by his certain writing obligatory commonly called a single Bill promised ten days after the date thereof to pay to the said Joseph Fiery or order for value received Eleven hundred and twenty dollars with interest from said date, Nevertheless the aforesaid defendant the said sum of money above demanded or any part thereof to the said plaintiff has not yet paid although so to do the said defendant afterwards to Wit on the 10 day of April in the year of our Lord 1844 and often afterwards at the County aforesaid as requested but the same or any part thereof to the said plaintiff to render or pay has altogether refused and still does refuse, Whereupon the said plaintiff says he is worse and has damage to the value of two hundred dollars, and that he brings suit &c, and brings here into Court the writing obligatory aforesaid sealed with the seal of the said defendant which the debt aforesaid Witnesseth &c which date is the day and year first aforesaid

D Weisel Attorney for Plaintiff

Here follows the single Bill mentioned and referred to in the foregoing declaration

Ten days after date I promise to pay Joseph Fiery or order for value received Eleven hundred and twenty dollars with interest from date Witness my hand and seal this 1st day of April 1844,

James B Dell (Seal)

And the said Defendant says that he cannot deny the action aforesaid of the said Plaintiff, so as aforesaid against him brought nor can he deny but that he

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owes unto the said Plaintiff the aforesaid sum of Eleven Hundred and twenty dollars current money in manner and form as the said plaintiff above against him his complained therefore it is considered by the Court here that the said plaintiff recover against the said Defendant as well the said sum of Eleven hundred and twenty dollars current money his debt aforesaid in form aforesaid acknowledged as the sum of Ten hundred dollars for his damages which he has sustained by occasion of the detention of the said debt as also the sum of Five dollars and forty eight and one third cents by the Court here unto the said plaintiff by his consent adjudged for his costs and charges about his suit in this behalf laid out and expended and the said Defendant in mercy &c

Memorandum Judgment was confessed in this action in the Month of April 1844 for $1120 Debt and $200 Damages and costs of suit. To be released on the payment of the Debt with interest thereon from the 11th day of April 1844 till paid and costs of suit with stay of execution for 12 months.

Test Isaac Nesbitt Clk

State of Maryland Washington County to Wit I hereby certify that the foregoing is truly taken from the Record and proceedings of the County Court aforesaid, In testimony Whereof I hereunto subscribe my name and affix the seal of the Circuit Court for said County this 23 day of June 1860,

Isaac Nesbitt Clk.

Entered 13 Vol 2 with Amended Bill

State of Maryland Washington County to Wit

At a Circuit Court of the Twelfth Judicial Circuit of the State of Maryland begun and held at Hagerstown in and for said County on the Fourth Tuesday of November being the 22 day of said Month in the year of our Lord One thousand eight hundred and sixty eight,

Were Present

The Hon Thomas Perry Judge of said Court
John M Hager Esq Sheriff
Isaac Nesbitt Clk

In the Record of proceedings of the said Court among others is the following to Wit

Joseph Fiery vs James B Dell and Terretenants

Be it remembered that heretofore to Wit on the 25 day of March in the year of our Lord 1867 the said Joseph Fiery by Andrew K Syster his attorney pursuant and said Sixth of and a final Judgment in the Court here rendered the Clerk of the State of Maryland of said Court to the Sheriff of the County aforesaid directed in the Words and of the Over following to Wit.

Washington County ss Wit. The State of Maryland to the Sheriff of Washington County Greeting (Seal) Whereas at a County Court begun and held at Hagerstown in and for the County aforesaid on the 4 Monday of March in the year of our Lord 1844 a certain Joseph Fiery by judgment of the said Court recovered against a certain James B Dell late of Washington County yeoman, as well the sum of Eleven hundred and twenty dollars current money a certain Debt as the sum of ten hundred dollars for his damages which he had sustained