June Term 1863.

Wherefore the said plaintiffs say that they are the more and have damage to the value of five hundred dollars current money of the United States and so they bring suit &c and bring here into Court the writing obligatory aforesaid sealed with the seal of the said defendant which the date aforesaid witness the day and year first aforesaid.

D. Weed Attorney for Plaintiff

Here follows the single bill mentioned and referred to in the foregoing declaration to Wit;

Ten days after date I promise to pay Henry and Joseph Fiery Exors of Sabina Fiery deed for value received Five thousand One hundred and Seventy seven dollars and twenty six cents with interest from date. Witness my hand and seal this 1st day of Apl 1844.

James B Dillo (seal)

And the said Defendant says that he cannot deny the action aforesaid of the said plaintiffs ought against him brought nor can he deny but that he owes unto the said plaintiffs the aforesaid sum of Five thousand One hundred and twenty seven dollars and twenty six cents current money in manner and form as the said plaintiffs above against him have complained, therefore it is considered by the Court here that the said Plaintiffs recover against the said defendant as well the said sum of Five thousand One hundred and twenty seven dollars and twenty six cents current money their debt aforesaid in form aforesaid acknowledged as the sum of five hundred dollars for their damages which they have 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 Plaintiffs by their consent adjudged for their costs and charges about their suit in this behalf by them expended and the said Defendant in mercy &c

Memorandum Judgment was confessed this action on the 11 day of April 1844 for $2,127.26 debt and $500 damages and costs of suit. The damages to be released on the payment of the debt with interest thereon from the 1st day of April 1844 besides costs of suit, with stay of execution for 12 Months.

Test Isaac Nesbell Clk

State of Maryland Washington County to Wit I hereby certify that the foregoing is truly taken from the Records and proceedings of the County Court aforesaid. In testimony whereof I have hereunto my name and affix the seal of the Circuit Court for said County this 23 day of July A.D. 1860.

Isaac Nesbell Clk

(Seal)

Exhibit B No 2 with Amended Bill

State of Maryland Washington County to Wit

At a Circuit Court of the Fourth Judicial Circuit of the State of Maryland begun and held at Hagerstown in and for said County on the 4th Monday of November being the 22 day of the same month in the year of our Lord 1858.

Were Present

The Hon Thomas Perry Judge of said Court

John M Kennon Sheriff

Isaac Nesbell Clk

In the Record of Proceedings of the said Court amongst others in the Solemnity to Wit

June Term 1863

Henry Fiery and Joseph Fiery Exors of Sabina Fiery use of Ors Fiery

vs

James B Dillo Terretenants

Be it remembered that heretofore to Wit on the 7th day of March in the year of our Lord 1857 the said Henry Fiery and Joseph Fiery Executors of Sabina Fiery deceased by Andrew K Syester their Attorney presented and filed forth of and upon a judgment in the Court here rendered the end of the State of Maryland of seven fieri facias to the Sheriff of the County aforesaid directed in the words and of the tenor following to Wit.

Washington County to Wit, The State of Maryland to the Sheriff of Washington County Greeting. Whereas at a County Court begun and held at Hagerstown in and for the County aforesaid on the 4th Monday of March in the year of our Lord 1844 a certain Henry Fiery and Joseph Fiery Executors of the last Will and testament of Sabina Fiery deceased by judgment of the same Court recovered against a certain James B Dillo late of Washington County yeoman as well the sum of Five thousand one hundred and twenty seven dollars and twenty six cents current money a certain debt as the sum of five hundred dollars current money for their damages which they had sustained as well by reason of the detention of that debt as for their costs and charges by them about their suit in that behalf laid out and expended, whereof the said James B Dillo is convicted as it appears on Record. And whereas the said James B Dillo at the time of the rendition of the Judgment aforesaid was seized of divers lands and tenements situate as of fee, and execution of that judgment and yet remains to be made for the said Henry and Joseph Executors as aforesaid. Wherefore the same Henry and Joseph have besought that a proper remedy be granted them in this behalf and it is right that those things which in the said Court are hereby transacted and adjudged shall be carried into due and speedy execution. Therefore we command you that you cause to the said James B Dillo and all and the terretenants of all the lands and tenements in your bailiwick being whereof the said James B Dillo on the 11 day of April 1844 on which day the judgment aforesaid was rendered or ever afterwards was seized that they be and appear before the Circuit Court to be held at the Court House in Hagerstown in and for said County on the 4th Monday of July next to shew if they have or can say anything for themselves why the said Henry and Joseph Executors as aforesaid ought not to have their execution for the debt damages costs and charges aforesaid to be levied on those lands and tenements and from the said Henry and Joseph Executors as aforesaid according to the form and effect of the recovery aforesaid, of they the said James B Dillo and his terretenants shall then and there be ready and prepared to do and receive what the said Circuit Court shall then and there consider concerning them in this behalf, and have there then this Writ, Witness the Hon Thomas Perry Judge of our said Court the 2d day of March 1857. Issued the 25 day of March 1857.

Isaac Nesbell Clk

On which said 4th Monday of July 1857 being the return day of the writ aforesaid came into Court here the plaintiffs aforesaid by their attorney aforesaid and the Sheriff of the County aforesaid to Wit I Benjamin D