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and Eleanor Jane McKeney infts of the said Isaac McKeney deceased as aforesaid be and appear before the said Circuit Court at the place and the said therein contained to shew cause as is therein contained and further abide and do my and Knowledge there are not other tenements of any lands or tenements which were of the said James B Dotts in my bailiwick to shew I could give notice as by the said Writ I am commanded

To Answer Ben A Partinger Shff

And thereupon the said plaintiffs by their Attorney aforesaid pray execution against the said Defendants for the debt damages costs and charges aforesaid in the Writ of scire facias aforesaid mentioned according to the form and effect of the recovery aforesaid to them be adjudged for therefore it is considered by the Court here that the said plaintiffs have execution against the said Defendants Jointly and the debt damages costs and charges aforesaid in the Writ of scire facias aforesaid mentioned according to the form and effect of the recovery aforesaid as the sum of Twelve dollars and sixty eight and cent three cents to the said plaintiffs on their assent by the Court here adjudged for their costs and charges which they have sustained by reason of the delay of the execution of the Judgment aforesaid to be levied of the Lands and tenements of which they the said Defendants were seized on terre tenants.

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 said Circuit Court for Washington County aforesaid

In testimony whereof I hereunto subscribe my name and affix the seal of the said Court for the County aforesaid this 23 day of July 1861.

(Seal)

Isaac Nesbitt Clk

Rebecca C Mc L mth Amended Writ

State of Maryland Washington County To Wit At a County Court of the 5th Judicial District of the State of Maryland begun and held at Hagerstown in and for said County on the 3d Monday of November being the 15 day of the said Month in the year of our Lord 1847

Were present

The Hon R M Martin Chief Judge

R H Marshall & Wm Reed Associate Judges

Thomas Martin Esq Shff

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

Cyrus Houston vs James B Dotts

Be it remembered that heretofore to Wit on the 29 day of November in the year of our Lord 1847 the said Cyrus Houston by R M Tidball his attorney pursuant and according to the Writ of the State of Maryland of Capias ad respondendum to the Sheriff of said County 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

We command you to take James B Dotts late of Washington County yeoman if he be found in your bailiwick and

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him safe keep so that you have his body before the Judges of our Court now being held at the Court House in Hagerstown in said County to answer unto Cyrus Houston in a plea that he render unto him the sum of Eight thousand dollars which to him he owes and from him unjustly detains and so forth. Hereof fail not at your peril and have you then and there this Writ Witness the Hon Robert M Martin Chief Judge of our said Court the 15 day of Nov 1847

Issued the 29 day of Nov 1847.

J Nesbitt Clk

And the Sheriff of said County to shew the said Writ in form aforesaid directed makes return to the Court here of the said writ he has not any thing therein nevertheless the said Defendant voluntarily appears in Court here by John J Mason his attorney and files the following Power of Attorney to Wit,

To John J Mason: You are hereby authorized and empowered by me to confess judgment in my name in favor of Cyrus Houston for whatever balance shall be due and appear on a certain Bond bearing date on the 29 day of May A D 1839 under my hand and seal and I am willing to give judgment for such sum as appears to be due on said Bond and credits made appear to Isaac Nesbitt to be allowed and deducted therefrom.

Jas B Dotts,

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 Dotts late of Washington County yeoman was summoned to answer unto Cyrus Houston in a plea that he render unto him the said Cyrus Houston the sum of Eight thousand dollars current money which the said James B Dotts owes to and unjustly detains from him and so forth. And whereupon the said Cyrus by R M Tidball his attorney saith that whereas the said James B Dotts on the 29 day of May in the year 1839 at Washington County aforesaid by his certain writing obligatory acknowledged himself to be bound and firmly bound unto him the said Cyrus in the said sum of eight thousand dollars current money to be paid to him the said Cyrus when afterwards he should be thereunto required nevertheless the said James B Dotts (altho often thereunto required) the said sum of eight thousand dollars current money to him the said Cyrus hath not rendered or pay but the same sum of eight thousand dollars current money to him the said Cyrus to render or pay he hath altogether refused and still doth refuse. Wherefore the said Cyrus says he is worth and hath damage to the value of ten thousand dollars current money and therefore he brings his suit and so forth and the said Cyrus brings here into Court the writing obligatory aforesaid sealed with the seal of the said James B Dotts which testifies the debt aforesaid in form aforesaid the date whereof is the day and year aforesaid and so forth

R M Tidball pltffs atty

Here follows the Writing obligatory mentioned and referred to in the foregoing declaration to Wit,

Know all men by these presents that I James B Dotts of the County of Washington in the State of Maryland are held and firmly bound to Cyrus Houston in the County of Washington State of Pennsylvania