Said Court, understood, that the said Marmaduke Medford is since dead, and that the said Jacob Jones hath survived him; wherefore the said Jesse Comegys hath besought us to grant him a proper remedy in this behalf, And we being willing that what is just in this part should be done, Do therefore Command you, that by good & lawful men of your Bailiwick, you make known unto the said Jacob Jones Survivor &c. that he be and appear before the Judges of our General Court, to be held at Easton in Talbot County, the second Tuesday of April next, to shew cause if any he hath, or knoweth why the said Jesse Comegys ought not to have his Execution against him for the Debt, Costs and Charges &c. according to the form, form and effect of the recovery &c., if unto him it shall seem expedient, and further to do and receive &c. and singular those things which our Judges &c. shall then and there consider in this behalf concerning him — Hereof fail not at your Peril, and have you then & there the names of these before whom you shall make the same known unto him, and this Writ. — Witness the Honorable Robert Goldsborough Esquire, Chief Judge of our said Court the 18th day of September Anno Domini 1796 — Teste the 4th day of March 1797 — H. James Earle Junr. Clerk —

At which said second Tuesday of April seventeen hundred and ninety seven, came into Court the said Jesse Comegys by his Attorney &c. and the Sheriff of Kent County &c. to whom the aforegoing Writ of Scire facias was in form &c. directed, likewise came and made return thereof to the Court, there endorsed, to wit —

"Made known before Charles Groome & Wm. Moffett. March 29th 1797 — C. Hall Shff. K. C."

And the said Jacob Jones Survivor &c. appeared in Court here by William Barrode Esquire his Attorney — Whereupon at the prayer of the said Jesse Comegys by his Attorney it was ruled by the Court here that the said Jacob Jones Survivor &c. to the Writ of Scire facias &c. should answer, at or before the next Court: the same day was given the said Jesse Comegys there &c. — At which said next Court, to wit, the second Tuesday of September seventeen hundred and ninety seven, came into Court the Parties &c. by their Attornies &c. and the said Jacob Jones Survivor &c. by his Attorney &c. defends the force and injury when and wherein, and prays an hearing of the Scire facias &c. and to him it is read in these words and figures, following, to wit —

Which being read and heard, the said Jacob saith, that the said Jesse ought not to have his Execution &c. for the Debt and Costs &c. against him the said Jacob, because he saith there is not any such Record of the Judgment &c. and recovery &c. in the same General Court now here remaining, as the said Jesse by his Writ &c. hath above suggested, and this he is ready to verify and aforth, wherefore he prays Judgment if the same Jesse ought to have his Execution &c. for the Debt and Costs &c. against him &c. — And the said Jacob by leave of the Court here, according to the form of the Statute in such case made and provided, comes and further defends the force & injury, when & wherein, and saith that the said Jesse ought not to have his Execution aforesaid against him for the Debt and Costs &c. because he saith that the recovery of the Judgment &c. in the Writ of Scire facias &c. above mentioned, and before the issuing of the said Writ of Scire facias, to wit, at the first day of May seventeen hundred and



ninety seven, the said Jacob paid to the said Jesse the aforesaid sum of one hundred and ninety three pounds twelve shillings and three pence current money, and eight hundred and ninety two pounds of Tobacco Costs of suit &c. in satisfaction and discharge of the Judgment aforesaid forbid, at Kent County aforesaid, which said sum of Debt and Costs of suit aforesaid, the aforesaid Jesse then and there received and accepted in full satisfaction and discharge of the Judgment &c. and this he is ready to verify &c. Wherefore he prays Judgment if the said Jesse ought to have his Execution against him for the Debt and Costs aforesaid &c. — And the said Jesse Comegys by his Attorney &c. saith that by any thing before alledged by the said Jacob in his first plea &c. he ought not to be barred from having his said action maintained against the said Jacob because he saith that there is such a Record of Recovery against the said Marmaduke Medford and Jacob Jones as is above alledged, and this he is ready to verify by the said Record, and he prays that the said Record may be inspected and seen by the Judges here &c. — And the said Jesse Comegys further saith that he by any thing by the said Jacob in his second plea above in pleading alledged ought not to be barred from having or maintaining his said Action thereof against him because he saith, that the said Jacob did not pay to him the said Jesse the sum of one hundred and ninety three pounds twelve shillings and three pence Current money, and eight hundred and ninety two pounds of Tobacco, as the said Jacob in his said plea hath above alledged, and this he prays may be enquired of by the Country — And the said Jacob likewise &c. — Whereupon further Process is said upon the Premises &c. between the Parties &c. by consent of the said Parties and their Attornies, and by order of the Court here thereon, was further continued to untile the second Tuesday of April then next following — And now here at this day, to wit the second Tuesday of April seventeen hundred and ninety eight, came again into Court the Parties &c. by their Attorneys &c. and the said Jacob Jones Survivor &c. by his attorney &c. & relinquishes his averment &c. & says, that he cannot shew cause why the said Jesse Comegys should not have Execution against him for the Debt & Costs &c. Therefore it is considered by the Court here that the said Jesse Comegys have Execution against the said Jacob Jones Survivor &c. for as well the Debt & Costs &c. in the Writ of Scire facias mentioned, according to the force, form and effect of the recovery &c. as the quantity of seven hundred and nine pounds of Tobacco to the said Jesse Comegys or his Assent by the Court here adjudged, for his Costs and Charges which he hath sustained, by reason of the delay of the Execution of the Judgment &c. and the said Jacob Jones Survivor &c. in mercy &c. —

Test. James Earle Junr. Clerk —

Memorandum. Test. April 17th 1798. Payments if any since original Judgment to be allowed — Stay of Execution till next Term —

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Daniel Mabzler and wife } vs. Samuel Causden

Be it remembered that on the twenty third day of May in the year seventeen hundred and ninety three, the said Daniel Mabzler & wife by John Scott Esquire their Attorney, sued out of the Publick General Court, the State of Maryland's Writ of Certiorari in these following, to wit — The State of Maryland to the Justices of Queen Anns County, Greeting: Whereas lately in our said Court Samuel Causden late of Queen Anns County, was attached to answer unto Daniel Mabzler & wife, of a plea of Trespass & Ejectment, which said plea is still depending before you our said Justices, in our