

require a hearing without delay; it being of a public concern, or an extensive work in which a number of people are daily employed, as

ROGERS, C., 28th March, 1787.—*Decreed*, that the defendant Petty pay to the plaintiff the sum of £647 14s. 9d., with interest from 7th April, 1786, until paid, and costs: and further, that the defendant Petty give bond, to be approved by the Chancellor, to indemnify the plaintiff for any claims that may be made against him on account of the ship Kitty; and that the injunction so far as respects the prosecution of the replevin remain in full force. &c.

The defendant John Petty, having been served with a copy of the decree; the plaintiff, by his petition, stated, that the defendant Petty had appealed, but had not given bond; that he had not paid the sum of money decreed; that he not given the bond of indemnification decreed; and that he had disposed of the salt, on which the plaintiff had a lien, in violation of the injunction. Prayer for a *ca. sa.* against Petty for the sum decreed; and for attachments for not giving the bond of indemnification, and for a breach of the injunction.

ROGERS, C., 2d May, 1787.—*Ordered*, that *ca. sa.* and attachment to compel indemnification according to decree issue according to the prayer of the plaintiff's petition.

Afterwards the plaintiff called on the sheriff to bring in the defendant under the *ca. sa.*, and the defendant moved to set it aside.

ROGERS, C., 24th May, 1787.—The *ca. sa.*, in this case, issued with propriety, and the plaintiff ought to be at liberty to call it; and the defendant John Petty being brought into Court, he is thereupon, on the prayer of the plaintiff, committed in execution of the decree aforesaid to the sheriff of Ann Arundel County.

Who being present took charge of him accordingly, and committed him to close custody in a chamber of the house of George Mann, (the tavern,) the same being used as a gaol.

McMECHEN v. STORY.—This bill was filed on the 23d of December, 1806, by David McMechen against Thomas Yates, Alexander Story, and The Mayor and City Council of Baltimore, to obtain an injunction to stay proceedings at law in a suit which had been instituted in the name of The Mayor and City Council of Baltimore, for the use of Alexander Story. It is stated in the bill, that the plaintiff in January, 1799, became bound by a joint and several bond to the City of Baltimore as surety of the defendant Yates as an auctioneer; that afterwards separate suits were brought on the bond against Yates, and the plaintiff, in the name of the city, for the use of Story; that Yates repeatedly assured the plaintiff, that the cause of action should be settled and adjusted, and that he, Yates, would cause those suits to be defended, and had employed a lawyer for that purpose; that the attorney, instead of making any defence, by the fraudulent contrivance and misrepresentation of Yates, withdrew the plea of general performance of all the stipulations in the condition of the bond; and in May, 1803, confessed judgment for the sum of \$4,154.80, with interest from the first of January, 1800, and a stay of execution until the first of August, 1803; which judgment was afterwards affirmed by the Court of Appeals; that the claim of Story