assured the Plaintiff in this case that he would indemnify him on account of becoming bail as aforesaid, And that the Edmondson should not suffer on that account; the Plaintiff Edmondson also proved that he paid to the Attorney of Robert Macgill the sum of in discharge of the Judgment against him so as aforesaid obtained by the said Macgill against the said Edmondson. Whereupon the Plaintiff by his Counsel prayed the direction of the Court to the Jury, that the present Plaintiff being liable to the above mentioned Robert Macgill for the whole of the amount of the above mentioned Judgment against Benjamin May, That the agreement of the aforesaid Macgill to relinquish a part thereof does not take away from the present Plaintiff the right to recover in the present action so much as he actually paid. Which opinion and direction the Court refused to give. To which refusal the Plaintiff by his Counsel prayed leave to except and prayed that the Court would sign and seal this his Bill of Exceptions according to the form of the Statute in such case made which is accordingly done this nineteenth day of February 1806.

Wm. Elagett (Seal)
Abm. Shriver (Seal)

And thereupon the said Robert Edmondson by his Attorney aforesaid prays that he may appeal from the Judgment aforesaid of the Court here so as aforesaid rendered to the Court of Appeals for the Western Shore and to him the same is granted by the Court here, Whereupon the said Robert Edmondson files, in Court here an Appeal bond which is approved of by the Court here the Tenor whereof follows in these words, to wit.

Know all men by these presents that we Robert Edmondson, Posey Stewart and Baalis Coomes of Frederick County in the State of Maryland are held and firmly bound unto Elias Boteler of the County and State aforesaid in the full and just sum of one hundred dollars Current Money to be paid to the said Elias Boteler or to his certain Attorney his Executors, Administrators or Assigns to which payment well and truely to be made and done we bind ourselves and every of us, our and every

every of our heirs, Executors and Administrators jointly and severally firmly by these presents sealed with our seals and dated this twenty fifth day of February one thousand eight hundred and six. Whereas at a County Court begun and held at Frederick Town in and for Frederick County on the first Monday of February in the year of our Lord one thousand eight hundred and six the above named Elias Boteler by the Judgment of the said Court recovered against the above bound Robert Edmondson the sum of twelve shillings Current Money and three hundred and thirty four pounds of Tobacco as his costs and charges which he had sustained in the suit aforesaid whereof the said Robert Edmondson is convict and so forth, from which said Judgment so as aforesaid rendered the said Robert Edmondson hath prayed an Appeal to the next Court of Appeals to be held for the Western Shore. Now the Condition of the above obligation is such that if the above bound Robert Edmondson shall not pursue the directions of the Act of entitled "An Act for regulating Writs of Error and granting Appeals from and to the Courts of Common Law within this province" at the next Court of Appeals to be held for the Western Shore and prosecute the same with effect, and also satisfy and pay unto the said Elias Boteler his Executors, Administrators or assigns in case the said Judgment shall be affirmed as well all and singular the costs and charges adjudged by the County Court aforesaid as also all costs and charges and damages that shall be awarded by the said Court of Appeals then this bond to be and remain in full force and virtue otherwise of no effect.

Signed sealed & delivered In presence of R. B. Tany. John H. Simmons

Robert Edmonston (Seal)
Posey Stewart (Seal)
Baalis Coomes (Seal)

Thereupon it is ordered by the Court here that a record of the proceedings aforesaid with all things thereunto relating be transmitted to the Court of Appeals aforesaid to be held at Annapolis on the third Monday of June next and they are transmitted accordingly.

Maryland. Frederick County Sc.

I hereby — that the aforegoing is truely taken from the Record of proceedings of Frederick County Court. In Testimony whereof I have hereto subscribed my name and affixed the seal of Frederick County Court the eighth day of May one thousand eight hundred and six. (Seal)

William Ritchie, Clerk
Frederick County Court