Tobacco as aforesaid the said Notes were delivered up to the said Inspector as Inspector aforesaid which Notes are the same Notes now produced as aforesaid by the plaintiff, that the said plaintiff was afterwards and some time before the institution of this suit removed from his said office of Inspector and the present defendant appointed to succeed him, that the said twelve hogsheads of Tobacco for which the said Notes were issued were advertised for sale by the defendant as inspector aforesaid under an Act of Assembly of the State of Maryland passed at November Session in the year

And that no demand was made for the said Tobacco by the plaintiff until after the publications of the said advertisement, whereupon the defendant by his counsel prayed the Court to direct the Jury that on this statement of facts the plaintiff was not entitled to recover and the Court did accordingly so direct the jury, being of opinion that the surrender of the Tobacco to the inspector as such for the purpose of having the Tobacco delivered to the respective holders transferred no property in the Tobacco to the inspector, although other Tobacco than that due on the Notes was delivered to them, and that to sanction such practices would be to open a door to the most abominable frauds which might be committed by Inspectors upon the several Counties in which they reside, that it was the duty of every public Officer to act correctly in the discharge of his functions, and if he acted incorrectly even by mistake he could not avail himself of his own negligence to his own benefit and to the injury of a third party to which opinion and direction of the Court the plaintiff by his counsel excepted and prayed the Court to sign & seal this his bill of exceptions which is accordingly done this 28 of Oct 1807 –

Joseph H. Nicholson (Seal)

And thereupon the said Henry Stevenson by his Attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the next Court of Appeals to be held for the Western shore and it is granted to him whereup the said Henry Stevenson by his Attorney aforesaid files in Court here the following Appeal Bond to wit – "Know all Men by these presents that we Henry Stevenson, Josias Pennington & Henry Stevenson physician are held and firmly bound unto Nicholas Ridgely in the just and full sum of Seven hundred and twenty dollars money of the United States to be paid to the said Nicholas Ridgely his

certain Attorney Executors Administrators or Assigns. To the payment whereof well and truly to be made and done we bind ourselves our heirs Executors and Administrators jointly and severally firmly by these presents. In witness whereof we hereunto set our hands and Seals this twenty first day of November in the year of our Lord One thousand eight hundred and Seven. Whereas the said Nicholas Ridgely did obtain judgment against the said Henry Stevenson in Baltimore County Court at October term in the year of our Lord One thousand eight hundred and Seven. An whereas the said Henry Stevenson is about appealing from the Judgment for the correcting of errors of and upon the said Judgment so as aforesaid rendered returnable to the next Court of Appeals. Now the condition of the above obligation is such that if the said Henry Stevenson shall not pursue the directions of the Act of Assembly 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 ensuing Court of Appeals which shall be held for the Western shore of the State of Maryland, and prosecute the same writ with effect, and also satisfy and pay to the said Nicholas Ridgely his Executors Administrators or Assigns in case the said Judgment shall be affirmed, as well all and singular the debts damages and costs adjudged by the County Court aforesaid, as also all costs and damages that shall be awarded by the Court of Appeals aforesaid then the said bond to be and remain in full force and virtue otherwise of no effect

Signed Sealed and delivered in the presence of, Cosmo G. Stevenson, Charles I. Meyer

H. Stevenson (Seal)
Josias Pennington (Seal)
Henry Stevenson (Seal)

Which being read and heard and the securities in the said Bond being by the Court here approved it is therefore ordered by the Court here that the record and proceedings aforesaid in the plea aforesaid with all things thereunto relating be transmitted to the said Court of Appeals and the same are transmitted accordingly

Test. Wm Gibson Clk

In testimony that the aforegoing is a true copy from the Record of the proceedings of Baltimore County Court in the above mentioned cause. I have hereunto subscribed my name and affixed the seal of my Office this first day of December in the year of our Lord One thousand eight hundred and Seven

(Seal of Clerk of Balto County Court)

Wm Gibson Clk Balto County Court