defendant, and wherein the said County Court gave Judgment for the said (The President Directors and Company of the Cumberland Bank of Alleghany aforesaid against the said John Barbridge and from which said Judgment the said John Barbridge appealed to the Court of appeals here, the tenor of which said record of proceedings is in form following, to wit:

State of Maryland, Allegany, to wit

At a County Court of the fifth Judicial District of the State of Maryland begun and held at the Court house in the Town of Cumberland in and for Allegany County on the (third monday of April being) the 17th day of the said month in the year of our Lord Eighteen hundred and (Twenty.

Were Present

The Honorable John Buchanan Esquire Chief Judge
Abraham Shriver } Esqrs. associate Judges
Thomas Buchanan }
George Bruce Esquire Sheriff &
Aza Beall, Clk

In the record and proceedings of said Court amongst others are the following to wit

R. P. The president Directors and Company of the Cumberland Bank of Alleghany
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B. A. John Barbridge

Be it remembered that heretofore to wit on the Twenty fifth day of March in the year of our Lord Eighteen hundred and nineteen the said President Directors and Company of the Cumberland Bank of Alleghany by Roger Perry their Attorney, prosecuted and sued forth out of the County Court here, the writ of the State of Maryland of Capias adrespondendum directed to the Sheriff of Allegany County in the words and figures to wit,

Allegany County to wit,

The State of Maryland to the Sheriff of Allegany County, Greeting We command you, That you take John Barbridge late of Allegany County yeoman if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our next County Court, to be held at the Court house in the Town of Cumberland, in the said County, on the third Monday of April next to answer unto the President Directors & Company of the Cumberland Bank of Alleghany in a plea of Trespass upon the case and so forth

Hereof fail not at your peril and have you then and there this writ Witness the Honorable John Buchanan Esquire, Chief Judge of

our said Court, the 13th day of October 1818
Issued the 25th day of March 1819
R. P.

Aza Beall, Clk

and the said President Directors and Company of the Cumberland Bank of Alleghany by their said attorney on the prosecuting and suing forth the writ aforesaid files in Court here, the following declaration to wit,

Allegany County to wit John Barbridge late of Allegany County yeoman was attached to answer unto the president Directors and Company of the Cumberland Bank of Alleghany in a plea of Trespass upon the case and so forth. And whereupon the said President Directors and Company of the Cumberland Bank of Alleghany by R. Perry their Attorney, complain that whereas one John M Davidson on the eighteenth day of August in the year of our Lord Eighteen hundred and Eighteen to wit, at the County aforesaid made and signed a certain note in writing commonly called a promissory Note, bearing date the same day and year aforesaid and then and there delivered the said Note to the said John Barbridge and thereby promised to pay to the said John Barbridge or order sixty days after the date thereof, the sum of seven hundred Dollars for Value received Negotiable and payable at the Cumberland Bank of Alleghany and the said John Barbridge to whom or to whose order the payment of the said sum of money mentioned in the said note was to be made, afterwards, and before the payment of the said sum of money mentioned in the said note, or any part thereof, and also before the time appointed by the said note for the payment thereof, to wit, on the day and year aforesaid at the County aforesaid, indorsed the said note his own proper hand writing being thereunto subscribed and by that indorsement he the said John Barbridge appointed the contents of the said note to be paid to one Aza Beall or order and then and there delivered the said note so indorsed to the said Aza Beall and the said Aza Beall to whom or to whose order the payment of the said sum of money mentioned in the said note, was to be made, afterwards, and before the payment of the said sum of money mentioned in the said note or any part thereof, and also before the time appointed by the said note, for the payment thereof, to wit, on the same day and year aforesaid at the County aforesaid, indorsed the said note his own proper hand writing being thereunto subscribed, and by that indorsement he the said Aza Beall appointed the contents of the said note to be paid to the president Directors and Company of the Cumberland Bank of Alleghany and then and there delivered the said note so indorsed to the said President Directors and Company of the Cumberland Bank