of May) in the year of our Lord eighteen hundred and twenty for penalty and costs of suit penalty to be released on the payment of five thousand one hundred and ninety eight dollars and thirty three cents current money and interest thereon from the 29th of October 1816 till paid and cost with an agreement that all payments should be allowed. Paid the 26th day of November 1817 the sum of two thousand and sixty eight dollars and ninety cents current money.

Test William S Morsell clk.

And thereupon the said Alexander A Magruder by his attorney aforesaid prays that he may appeal from the judgment aforesaid of the Court here so as aforesaid rendered to the high Court of appeals and to him the same is granted by the Court here Whereupon the said Alexander A Magruder exhibiteth to the Court here an appeal bond entered into by himself and two parties which by the Court here are approved of the tenor whereof ensueth in the following words to wit:

Know all men by these presents that we Alexander A Magruder John Mills and Samuel A Johnson of Calvert County in the State of Maryland are held and firmly bound unto Peter Emerson of the County and State aforesaid in the full and just sum of twenty thousand seven hundred and ninety three dollars and ninety two cents current money to be paid to the said Peter Emerson or to his certain attorney his executors administrators or assigns to which payment well and truly to be made we bind ourselves and every of us our and every of our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals and dated this eleventh day of May in the year of our Lord one thousand eight hundred and twenty.

Whereas at a County Court begun and held at Prince Frederick Town in and for Calvert Court on the second monday of May being the eighth day of the same month anno Domini 1820 the above named Peter Emerson by the judgment of the said Court recovered against the above bound Alexander A Magruder as well the sum of two thousand three hundred and ninety six dollars and sixty six cents current money a certain debt as the sum of six dollars eighty seven and two thirds cents for his damages which he had sustained as well by reason of the detention of that debt as for his cost and charges by him about his suit in that behalf laid out and expended whereof the said Alexander A Magruder is convict as it appears of record from which said Judgment so as aforesaid rendered the said Alexander A Magruder hath prayed an appeal to the next high Court of appeals to be held at the City of Annapolis Now the Condition of the above obligation is such that if the above bound Alexander A Magruder shall not prosecute the directions of an act of assembly entitled an act for regulating writs of error and granting appeals

from and to the Courts of common law within this State at the next Court of appeals and prosecute the same with effect and also pay and satisfy unto the said Peter Emerson his executors administrators or assigns in case the said judgment shall be affirmed as well all and singular the debts damages and cost adjudged by the County Court aforesaid as also all cost and damages that shall be awarded by the Court of appeals aforesaid then this bond to be and remain in full force and virtue otherwise of no effect.

signed sealed and delivered in the presence of Clem Dorsey

Alexander A Magruder (Seal)
John Mills (Seal)
Samuel A Johnson (Seal)

I certify that I believe the above securities sufficient. S A Wilkinson
Approved 11th May 1820 Charles S Kilgour.

Thereupon it is ordered by the Court here that a record of the proceedings aforesaid with all things thereunto relating be transmitted to the high Court of appeals of the State of Maryland to be held at the City of Annapolis and they are transmitted accordingly.

Calvert County sct. I hereby certify that the foregoing is a true copy taken from the record of proceedings of the County Court of Calvert aforesaid

(Seal) In Testimony whereof I have hereunto subscribed my name and affix the seal of my office this 26th day of June anno Domini 1820

William S Morsell clk of Calvert County Court

And now come into the Court of Appeals here as well the said Alexander A Magruder in his proper person as the said Peter Emerson by John A Wathins and John R Chesley his attorneys and thereupon on motion of the said Peter Emerson by his attorneys aforesaid it is ruled by the Court here that the said Alexander A Magruder assign the errors in the record of proceedings aforesaid or in the giving the judgment aforesaid so as aforesaid brought before the Court of appeals here for correcting the errors supposed to be therein or judgment by the Court of appeals here will be entered against him in default thereof: And the said Alexander A Magruder in his proper person says that in the record of proceedings aforesaid and also in the giving of judgment aforesaid there is manifest error in this to wit that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given was given for the said Peter Emerson against the said Alexander A Magruder when by the law of the land that judgment ought to have been given for the said Alexander A Magruder against the said Peter Emerson therefore in that there is manifest error and he prays that the judgment aforesaid for that error and others being in the record of proceedings aforesaid may be reversed annulled and held entirely as void and that he the said Alexander A Magruder may be restored to all things which he hath lost by occasion of the said judgment and that the said Peter Emerson may rejoin to the errors aforesaid and forforth: And thereupon it is ruled by the Court of appeals here that the said Peter Emerson join in the