December Term 1828.

of September term, in the year of our Lord one thousand eight hundred and eighteen until which day the said John Schunck had leave to imparle and then to answer to the Declaration aforesaid of the said State of Maryland in the plea aforesaid comes into the county court here as well the said State of Maryland by its attorney aforesaid, as the said John Schunck by his attorney aforesaid: and the said John Schunck by his said attorney as before defends the force and injury when and so forth, and prays leave of the court here further to imparle until the fourth Monday of March next, and then to answer to the Declaration aforesaid, of the said State of Maryland, in the plea aforesaid, and he hath it: the same day is given to the said State of Maryland also. And now here, at this day, the said fourth Monday of March, term, in the year of our Lord, one thousand eight hundred and nineteen, until which day the said John Schunck had leave further to imparle, and then to answer to the Declaration aforesaid of the said State of Maryland, in the plea aforesaid, comes again into the county court here, as well the said State of Maryland by Henry M. Murray Esquire its attorney, as the said John Schunck by his attorney aforesaid: and the said John Schunck by his said attorney, as before defends the force and injury when and so forth and says, that he cannot deny the action aforesaid of the said State of Maryland, so as aforesaid against him brought, nor can he deny but that he owes unto the said State of Maryland the said sum of twenty six thousand, six hundred and sixty six dollars, sixty six cents and two thirds of a cent current money, in manner and form as the said State of Maryland above against him hath complained. And thereupon the said State of Maryland by its attorney aforesaid, prays judgment and its debt so as aforesaid confessed, together with its damages, which it hath sustained as well by reason of the detention of the said debt, as for its costs and charges by it about its suit in this behalf expended, to it to be adjudged and so forth. Therefore it is considered by the court here, that the said State of Maryland recover against the said John Schunck as well the said sum of twenty six thousand six hundred and sixty six dollars sixty six cents and two thirds of a cent current money its debt aforesaid, in form aforesaid confessed, as the sum of ten dollars and thirteen cents and one third of a cent for its damages which it hath sustained as well by reason of the detention of the said debt, as for its costs and charges by it about its suit in this behalf laid out and expended: adjudged unto the said State of Maryland by the court here on its assent: and the said John Schunck in mercy and so forth.

Memorandum. Judgment was rendered in this cause on the tenth day of May eighteen hundred and nineteen, for penalty and costs: to be released on payment of such sum as Henry Shapnall and Thomas Hanwood shall say is due on or before the first day of September next. And afterwards term, on the sixth day of May in the year of our Lord one thousand eight hundred and twenty two, it was ordered by the court here, with the consent of the parties, that Thomas Hanwood be substituted in the place of Henry Shapnall and Thomas Hanwood, and all payments made appear to him to be allowed. And thereupon the said Thomas Hanwood files in court here his award of and upon the premises aforesaid in form following to wit:

December Term 1828.

The State of Maryland
vs
John Schunck.

In this case I do hereby say and award, that there is due to the Plaintiff from the Defendant the sum of four thousand and fifty seven dollars and forty three cents, with interest from the fourth day of May, eighteen hundred and twenty, until paid, with costs of suit.

Th: Harwood. Balto May 9th 1822.

And afterwards term, on the seventh day of September in the year of our Lord one thousand eight hundred and twenty two, the said John Schunck by virtue and in pursuance of the act of the General Assembly of Maryland, passed at November session eighteen hundred and eleven entitled "A supplement to the act entitled, An act for regulating writs of error, and granting appeals from and to the courts of common law within this province" did apply to and direct the Clerk of Baltimore county court, to enter an appeal from the judgment aforesaid, so as aforesaid rendered, to the court of Appeals for the Western Shore of the State of Maryland. And thereupon the said John Schunck filed in the office of the clerk of said court a certain writing obligatory commonly called an appeal bond, and which is in the words and of the tenor following to wit: "Know all men by these presents, that we, John Schunck, Francis Murray and Joshua Turner, are held and firmly bound unto the State of Maryland, in the just and full sum of fifty three thousand, three hundred and thirty three dollars and thirty three and one third of a cent, to be paid to the said State of Maryland or its certain attorney 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 third day of September in the year of our Lord, one thousand eight hundred and twenty two. Whereas the said State of Maryland did obtain judgment against the said John Schunck in Baltimore county court, at March Term in the year of our Lord, one thousand eight hundred and nineteen, for the sum of twenty six thousand six hundred and sixty six dollars, and sixty six and two thirds of a cent, penalty and costs to be released on payment of four thousand and fifty seven dollars and forty cents, with interest from the fourth of May eighteen hundred and twenty and costs — from which judgment the said John Schunck has prayed an appeal to the next court of Appeals to be held for the Western Shore of Maryland. Now the condition of the above obligation is such, that if the said John Schunck 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 with effect, and also, satisfy and pay to the said State of Maryland or its certain attorney, or assigns, in case the said judgment shall be affirmed, as well all and singular the debt, 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 void and remain in full force and virtue, otherwise of no effect.

Signed sealed and delivered in the presence of William Todd.

John Schunck (seal)
Francis Murray (seal)
Joshua Turner (seal)

"I believe the within Bond

Which said Bond is thus endorsed to wit.