to be good.

W S Health.

"Bond approved, and appeal allowed. 4th Sept. 1818. Wm H. Ward."

And thereupon in virtue of the said act of Assembly, and in pursuance of the application and direction aforesaid a record of the proceedings in the plea aforesaid with all things thereunto relating is transmitted to the said Court of Appeals accordingly.

Test. Wm Gilson Clk.

In Testimony that the foregoing transcript is truly and faithfully taken from the record of proceedings of Baltimore county Court. I have hereto set my hand and affixed the seal of my office this sixteenth day of October in the year of our Lord one thousand eight hundred and twenty two.

(Seal)

Wm Gilson Clk of Balto county Court.

And now come into the Court of Appeals here, as well the said John Schumck by Upton S Health his attorney, as the said State of Maryland by Thomas B Dorsey its attorney: and thereupon on motion of the said State of Maryland by its attorney aforesaid it is ordered by the Court here, that the said John Schumck 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 John Schumck by his attorney aforesaid, says, that in the record of proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error in this Court, that by the record aforesaid, it appears that the judgment aforesaid in the plea aforesaid given, was given for the said State of Maryland against the said John Schumck when by the law of the land that judgment ought to have been given for the said John Schumck against the said State of Maryland, 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 avoided; and that he the said John Schumck may be restored to all things which he hath lost by occasion of the said judgment, and that the said State of Maryland may rejoin to the errors aforesaid and so forth: And thereupon it is ordered by the Court of Appeals here, that the said State of Maryland join in the errors by the said John Schumck above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against it in default thereof: And the said State of Maryland by its attorney aforesaid, says there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and it prays that the Court of Appeals here will proceed to the examination as well of the record of proceedings aforesaid, as of the matters aforesaid, by the said John Schumck above for error assigned, and that the said judgment may be in all things affirmed and so forth. Thereupon further process of and upon the premises, between the parties aforesaid, is by virtue of an act of Assembly in such case made and provided, further continued before the Court of Appeals here, until the second Monday in June next. The same day is given to the said parties, there then to hear the judgment of the Court of appeals here of and upon the said premises and so forth.

And now at this day, to wit, the said second Monday in June, being the ninth

day of the said month, in the year of our Lord one thousand eight hundred and twenty three come again into the Court of Appeals here as well the said John Schumck by Upton S Health his attorney, as also the State of Maryland by Thomas B Dorsey its attorney, and the said State of Maryland by its attorney aforesaid offers itself against the said John Schumck of and upon the premises, and prays that the Court of Appeals here will proceed to the examination as well of the record of proceedings aforesaid, as of the matter above for error assigned, and that the said judgment may be in all things affirmed and so forth: and for as much as the said John Schumck doth not allege to the Court of Appeals here any matter or thing for the reversal of the judgment aforesaid, nor insist upon the matters aforesaid by him above for error assigned: Therefore it is considered by the Court of Appeals here, that the judgment aforesaid, in form aforesaid given, be in all things affirmed, and stand in full force and effect, the said causes above for error assigned in any wise notwithstanding: And it is further considered by the Court of Appeals here, that the said State of Maryland have execution against the said John Schumck as well for the debt damages costs and charges aforesaid, so as aforesaid adjudged unto him the said County Court of Baltimore as also for the sum of ten dollars and twelve cents adjudged unto it by the Court of Appeals here on its second costs costs and charges which it hath sustained by occasion of the delay of the execution of the judgment aforesaid, by pretext of the prosecution of the said appeal by the said John Schumck for the correcting of errors of and upon the premises as aforesaid prosecuted and so forth.

Memorandum. Judgment was affirmed nisi in this case and made absolute on the twelfth day of July eighteen hundred and twenty three and execution awarded for the sum of twenty six thousand six hundred and sixty six dollars, sixty six and two thirds cents current money debt ten dollars thirteen and one third cents costs and costs. To be released on payment of four thousand and fifty seven dollars and forty three cents current money with interest from the fourth of May eighteen hundred and twenty until paid and the above costs and costs. Stay of execution until the end of December Term eighteen hundred and twenty three.

Test. John Johnson Clk.

The State of Maryland
vs
John Schumck

Be it remembered, that heretofore to wit, on the twenty fourth day of December in the year of our Lord one thousand eight hundred and twenty four the State of Maryland by Thomas B Dorsey its attorney prosecuted and sued forth out of the Court of Appeals here, a writ of the State of Maryland of Scire facias to the Sheriff of Baltimore county directed in the words and figures following to wit:

Maryland Sc. The State of Maryland, To the Sheriff of Baltimore County Greeting.

(Seal)

Whereas at a County Court, begun and held at the City of Baltimore in and for Baltimore county on the fourth Monday of March in the year of our Lord one thousand eight hundred and nineteen The State of Maryland by the judgment of the said Court recovered against a certain John Schumck late of Baltimore county, yeoman as well the sum of twenty six thousand six hundred and sixty six dollars and sixty six and two thirds cents current money, a certain debt, as the sum of ten dollars and thirteen and one third cents for its damages which it had sustained as well by reason of the detention of that debt, as for its costs and charges by it about