James B Robins Exor. of Littleton Robins vs Robert Dennis } June Term 1824. The record and proceedings in this cause were by the Court read and considered; it is thereupon this 16th day of June 1824. by the Judges of the Court of Appeals ordered adjudged and decreed, that the Decree made in this case by Dorchester County Court be and the same is hereby reversed and annulled with costs to the Appellant; and the said County Court is hereby directed to dissolve the Injunction and to dismiss the bill in the said Court; and it is also ordered that a Copy under Seal of this Court of this adjudication and Decree be transmitted to the said County Court to the end that the said County Court may proceed therein according to the tenor and directions thereof.

Memorandum. Decree of Court below reversed 16th day of June 1824. and the Court of Appeals awarded $0 d. 81½ cts to Appellant.

Attest James Pancoast Clk.

John Henderson vs Valentine Dennis } Be it remembered, that now here on the first Monday in June being the second day of the same month in the year of Our Lord One thousand eight hundred and twenty three the Chief Judge and Associate Judges of the fourth Judicial District of Maryland in pursuance of the act of Assembly in such cases made and provided, transmit to the Court of Appeals here the record of proceedings of a plea which was lately depending before them in the County Court of Worcester between John Henderson plaintiff, and Valentine Dennis defendant and wherein the said County Court gave judgment for the said John Henderson against the said Valentine Dennis, and from which said Judgment the said Valentine Dennis appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following, to wit,

Worcester County ss. At a County Court of the fourth Judicial District of the State of Maryland begun and held at Snow Hill Town in and for the County aforesaid on the second Monday of November to wit the eleventh day of the same month in the year of our Lord One thousand eight hundred and twenty two.

Present,

The Honourable { William B Martin Esquire Chief Judge; James B Robins &c; William Whittington } Esquires, associate Judges.

Cord. Hazzard Esquire Sheriff.

John C Handy Clk.

In the record of proceedings of the said Court amongst others were the following, to wit.

John Henderson vs Valentine Dennis } Be it remembered that heretofore to wit, on the twenty ninth day of October in the year of our Lord Eighteen hundred and twenty one John Henderson by Ara Spence his attorney prosecuted and sued forth out of the County Court here the writ of the State of Maryland of capias ad respondendum against Valentine Dennis directed to the Sheriff of Worcester County in form following, to wit: Worcester County ss. The State of Maryland, To the Sheriff of Worcester County, Greeting: You are hereby commanded to take Valentine Dennis late of Worcester County Yeoman if he shall be found in your bailiwick and him safe keep so that you have his body before the said County Court of Worcester to be held at Snow Hill Town, on the second Monday of November next to answer unto John Henderson in a plea that he render unto him the sum of Eleven hundred dollars current Money which to him he owes &c and justly detains &c and so forth. Hereof fail not at your peril and have you then and there this writ.

Witness the honourable William B Martin Esquire Chief Judge of the fourth Judicial District the 1st day of May in the year of our Lord 1821. Issued the 29th day of October in the year of our Lord 1821.

(A.S.) John C Handy Clk.

At which said second Monday of November, in the year of our Lord One thousand eight hundred and twenty one comes into the County Court here the said John Henderson by his Attorney aforesaid, and the Sheriff of Worcester County, to whom the said aforegoing writ was in form aforesaid directed, makes return thereof to the Court here, "that he hath taken the body of the said Valentine Dennis and him hath here ready to answer unto the said John Henderson in the plea aforesaid, as by the said writ he was commanded." And the said Valentine Dennis being called appears in Court here by Ephraim Kd Wilson his attorney, and thereupon on Motion of the said John Henderson, by his attorney aforesaid it is

ruled by the Court here, that the said Valentine Dennis give special bail in the plea aforesaid; whereupon a certain George Hayward of Worcester County comes here into Court in his own proper person and becomes pledge and bail for the said Valentine Dennis, that if it shall happen that the said Valentine Dennis shall be convicted at the suit of the said John Henderson in the plea aforesaid, then the said George Hayward consents that as well the debt aforesaid as all such damages costs and charges as shall be adjudged unto the said John Henderson in this behalf shall be made of his body, lands and chattels and levied to the use of the said John Henderson, if it shall happen that the said Valentine Dennis shall not pay the said debt damages costs and charges, or render himself to the prison and custody of the Sheriff of the County aforesaid on that occasion. And the said Valentine Dennis by his said Attorney defends the force and injury when &c. Upon which at the request of the parties aforesaid by their Attornies aforesaid day is to them now here given until the second Monday of May next in the same state and at present saving to the parties aforesaid here &c. At which said second Monday of May in the year of our Lord Eighteen hundred and twenty two, comes as well the said John Henderson as the said Valentine Dennis by their Attornies aforesaid. And thereupon the said Valentine Dennis by his said Attorney prays that the said John Henderson may declare against him the said Valentine Dennis in the plea aforesaid. Whereupon it is ruled by the Court here that the said John Henderson declare against the said Valentine Dennis in the plea aforesaid, and if the said John Henderson doth not declare against the said Valentine Dennis in the plea aforesaid judgment will be rendered against him by default, and the said John Henderson by his said Attorney prays leave of the Court here to imparle until the second Monday of November to declare against the said Valentine in the plea aforesaid and he hath it, the same day is given to the said Valentine Dennis then &c. At which said second Monday of November in the year of our Lord Eighteen hundred and twenty two, until which said day the said John Henderson had leave to imparle; and then to declare against the said Valentine Dennis in the plea aforesaid comes as well the said John Henderson as the said Valentine Dennis by their Attornies aforesaid and the said John Henderson by his said Attorney declares against the said Valentine Dennis in the plea aforesaid as follows that is to say.

Worcester County, to wit, Valentine Dennis late of Worcester County Yeoman was summoned to answer unto John Henderson in a plea that he render unto the same John the sum of Eleven hundred dollars current money which he the same Valentine owes to and unjustly detains from him the same John and so forth. And whereupon the same John Henderson by Ara Spence his attorney saith that the said Valentine Dennis on the tenth day of March in the year of our Lord One thousand and eight hundred and nineteen at the County aforesaid by his certain bill obligatory which is sealed with the seal of the same Valentine, the same John here into Court brings the date whereof is the same day and year aforesaid acknowledged himself to owe and be justly indebted unto the same John in the aforesaid sum of eleven hundred dollars current money of Maryland to be paid to the said John within Six Months from the date of the same bill obligatory to the payment whereof well and truly to be made and done the same Valentine bound himself and his heirs firmly by the same bill obligatory. Never the less the same Valentine although thereto afterwards often required the said sum of money or any part thereof unto the same John yet hath not rendered or paid but hitherto altogether hath refused and still doth refuse to the damage of the same John twenty two hundred dollars current money of Maryland and he therefore brings this suit &c.

Ara Spence for Pltff.

John Doe & Richard Roe } Pledges.

Oyer of the bill obligatory in the declaration aforesaid mentioned ensues in the following words to wit.

We jointly and severally promise and oblige ourselves and our heirs executors and administrators to pay or cause to be paid to John Henderson his executors administrators and assigns the sum of Eleven hundred Dollars current money value received with interest thereon until paid to be paid in Eighteen Months from the date hereof, as witness our hands and seals this tenth day of March 1819. $1100.00

Valentine Dennis (Seal)

Witness Henry J Williams. E K Wilson. (Seal)

And the said Valentine Dennis by his Attorney aforesaid defends the force and injury when &c and saith that he cannot gainsay the Action aforesaid of the said John Henderson, nor can he deny but that he owes unto the said John Henderson the aforesaid sum of Eleven hundred dollars current money in manner and form as the said John Henderson above against him hath complained, therefore it is con-