Judgments

of the delay of the execution of the Judgment aforesaid by pretence of the prosecution of the said Appeal by the said Frederick Boyer of and upon the premises as aforesaid prosecuted

James Parrott, Clerk

Memorandum. Judgment affirmed the 8th day of June eighteen hundred and fourteen

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Unit Angier against **Stephen Boyer** — Be it remembered that now here on the first Monday of June in the year eighteen hundred and thirteen the Chief Justice and associate Justices of Kent County Court in pursuance of the Act of assembly in such case made and provided transmit to the Court of Appeals here the record and proceedings of a plea which was lately depending before them in the said County Court between Unit Angier, Plaintiff and Stephen Boyer, Defendant, and wherein the said County Court gave Judgment for the said Unit Angier against the said Stephen Boyer, & from which said Judgment the said Stephen Boyer prayed an appeal unto the Court of Appeals here the tenor of which said record and proceedings is in form following to wit:

"Maryland Kent County sct. At a County Court of the second Judicial District of the State of Maryland, begun and held at the Court House in the Town of Chester in and for Kent County aforesaid on the third Monday of March being the fifteenth day of the same month, in the year of our Lord one thousand eight hundred and thirteen and in the thirty seventh year of the Independance of the United States of America. Were Present

Richard Tilghman Earle, Esquire Chief Judge

The Honorable { Samuel Turner & Thomas Worrell } Esquires associate Judges

Edward Browne, Esquire Sheriff and. Benjamin Chambers Clk

In the record of proceedings of the Court aforesaid amongst others were the following to wit

Unit Angier versus **Stephen Boyer** — Be it remembered that heretofore, to wit, on the ninth day of March in the year of our Lord one thousand eight hundred and twelve the said Unit Angier by James Houston, Esquire his atty, prosecuted and sued forth out of the County Court here the writ of the State of Maryland of Capias ad respondendum, to the Sheriff of Kent County aforesaid directed in the words and figures & of the tenor following, to wit: "Kent County sct. The State of Maryland. To the Sheriff of Kent County Greeting: You are hereby commanded to take Stephen Boyer late of Kent County, if he shall be found in your bailiwick and him safe keep, so that you have his body before the County Court to be held at the Court House in the Town of Chester in & for the said County of Kent on the third Monday of March next to answer unto Unit Angier of a plea that he render unto him the sum of Three thousand six hundred and fifty one pounds seventeen shillings and two pence current money which to him he owes and unjustly detains and so forth. Hereof fail not at your peril and have you then and there this Writ. Witness the Honorable Richard Tilghman Earle, Chief Judge of the said County Court the 15th day of September anno Domini 1811. Issued this 9th day of March anno Domini 1812.

(Seal of Kent County Court)

Ben. Chambers Clk.

At which mentioned third Monday of March being the sixteenth day of the same month, in the year of our Lord Eighteen hundred and twelve and the day of the return of the said aforegoing writ, comes into the County Court here the said Unit Angier by his attorney aforesaid and the Sheriff of Kent County aforesaid, to wit, Edward Wilkins, Gentleman, to whom the said aforegoing Writ was in form aforesaid directed made, return thereof to the Court here thus indorsed, to wit, "Kent County sct. By virtue of this writ to me directed I have taken the within named Stephen Boyer whose body I have ready before the County Court within named, on the day and place within contained as I am within commanded

to answer Edward Wilkins Shff." And the said Stephen Boyer being called appears in Court here by William Barroll Esquire his attorney, thereupon on motion of the said Unit Angier by his attorney aforesaid it is ruled by the Court here that the said Stephen Boyer give special bail in the plea aforesaid. Whereupon a certain Casperis Alexander of Kent County comes into Court here in his own proper person and (with the consent of the said Unit Angier by his said attorney) becomes pledge and bail for the said Stephen Boyer, that if it shall happen that the said Stephen Boyer shall be convicted at the suit of the said Unit Angier, in the plea aforesaid, then the said Casperis Alexander consents that as well the debt aforesaid as all such damages, costs and charges as shall be adjudged unto the said Unit Angier in this behalf shall be made of his body lands and chattels, to be levied to the use of the said Unit Angier, if it shall happen that the said Stephen Boyer 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: thereupon on motion of the said Stephen Boyer by his attorney aforesaid, it is ruled by the Court here that the said Unit Angier declare against the said Stephen Boyer in the plea aforesaid or Judgment by the Court here will be rendered against him in default thereof; and the said Stephen Boyer by his attorney aforesaid prays leave of the Court here to imparle until the third Monday of September next and to him it is granted, the same day is given to the aforesaid Unit Angier also. At which mentioned third Monday of September, being the twenty first day of the same month, in the year Eighteen hundred and twelve aforesaid, and to which said day the said Stephen Boyer had leave to imparle come again into the County Court here the parties aforesaid by their attorneys aforesaid. And thereupon on motion of the said Stephen Boyer, by his attorney aforesaid it is further ruled by the Court here, that the said Unit Angier, declare against the said Stephen Boyer in the plea aforesaid or Judgment by the Court here will be rendered against him in default thereof; and the said Stephen Boyer by his attorney aforesaid prays leave of the Court here further to imparle until the third Monday of March next and to him it is granted the same day is given to the aforesaid Unit Angier also. And now here, at this day, to wit, the said third Monday of March, being the fifteenth day of the same month in the year eighteen hundred and thirteen, and to which said day the said Stephen Boyer had leave further to imparle come again into the County Court here the parties aforesaid by their attorneys aforesaid and the said Unit Angier by his attorney aforesaid now declares in the Court here against the said Stephen Boyer in the plea aforesaid in manner and form following, to wit: "Kent County to wit. Stephen Boyer late of Kent County, was summoned to answer unto Unit Angier in a plea that he render unto him the sum of Three thousand six hundred and fifty one pounds seventeen shillings and two pence current money which to him he owes and unjustly detains &c. And whereupon the said Unit Angier by James Houston his attorney saith that whereas the said Stephen Boyer on the seventeenth day of December in the year eighteen hundred and seven at the County aforesaid by his certain writing obligatory which sealed with the seal of the said Stephen Boyer, the said Unit Angier here into Court brings, the date whereof is the same day and year aforesaid acknowledged himself to be held and firmly bound unto the said Unit Angier in the aforesaid sum of Three thousand six hundred and fifty one pounds seventeen shillings and two pence current money, to be paid to him the said Unit Angier, when he should be thereto required. Nevertheless the said Stephen Boyer, although often thereto required the sum of money aforesaid to the said Unit Angier hath not contented or paid, but the same to him to content or pay, hath hitherto altogether refused and still doth refuse to the damage of the said Unit Angier in the sum of Ten thousand pounds current money and therefore he brings suit &c. James Houston pltfs atty. pledges for prosecution John Doe & Rich. Roe. And the said Stephen Boyer by his attorney aforesaid defends the force and injury when &c. and saith that he cannot gainsay the action aforesaid of the said Unit Angier nor can he deny but that he owes unto the said Unit Angier the aforesaid sum of Three