State. The Condition thereof is such that if the said Joshua Dwer appellant shall not pursue 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 province at the next Court ensuing, before whom the Appeal aforesaid ought to be tried and prosecute the same Appeal with effect, and also satisfy and pay to the said John B. Davage his Executors, administrators or assigns, in case the said Judgment shall be affirmed as well all and singular the damages interest & costs adjudged by the Court before whom the action aforesaid was first brought and from whose Judgment the appeal aforesaid was made, as also all costs and damages that shall be awarded by the Court before whom the Appeal aforesaid shall be heard tried and determined, then the said obligation to be & remain in full force and virtue in law otherwise of no effect. Joshua Dwer (Seal) Sepr Sturgis (Seal) Matthias Lindsey (Seal) Signed sealed & delivered, in the presence of Ch. Wilson.

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 holden as aforesaid, & they are transmitted accordingly. Test. Jn. B. Handy Clk

In Testimony that the aforegoing is a true Copy taken from the record of proceedings of the ~~Court of Worcester~~ County Court of Worcester. I have hereunto set my hand & affixed the ~~County Court~~ Seal of my Office this twenty sixth day of November in the year of our Lord one thousand eight hundred & twelve. John B. Handy Clk Worcr County Court

And now here comes into the Court of Appeals as well the said John B. Davage by William Whittington his attorney as the said Joshua Dwer by Ephraim K. Wilson Esquire his attorney and thereupon on motion of the said John B. Davage by his attorney aforesaid it is ruled by the Court here that the said Joshua Dwer assign the errors in the record and proceedings of the Judgment aforesaid, & Judgment by the Court here will be rendered against him in default thereof, and the said Joshua Dwer by his attorney aforesaid saith, that in the record and 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 John B. Davage against the said Joshua Dwer whereby the law of the land that Judgment ought to have been given for the said Joshua Dwer against the said John B. Davage, therefore in that there is manifest error and he prays that the Judgment aforesaid for that error and others being in the record and proceedings aforesaid may be reversed annulled and held entirely as void, and that he the said Joshua Dwer may be restored to all that he has lost by occasion of the said Judgment, and that the said John B. Davage may rejoin to the errors aforesaid &c. And the said John B. Davage by his Attorney aforesaid says there is no error in the record & proceedings aforesaid, or in the rendition of the Judgment aforesaid, and prays likewise that the Court here may proceed to the examination as well of the record and proceedings aforesaid as of the matters aforesaid by the said Joshua Dwer above for error assigned and that the said Judgment may be in all things affirmed &c. Whereupon it is ruled by the Court here that the matters in controversy between the parties aforesaid, be argued & fully discussed as well on the part of the said John B. Davage as of the said Joshua Dwer before the Judges of the Court here &c. thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid, and by order of the Court here thereon is continued until the first Monday of June next. At which day, to wit the first Monday of June Eighteen hundred and thirteen, come again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid; thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid

and by order of the Court here thereon is continued until the last Monday of November next. At which day, to wit the last Monday of November eighteen hundred and thirteen come again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid; thereupon further proceed of and upon the premises aforesaid between the parties aforesaid, by consent of the said parties & their attorneys aforesaid and by order of the Court here thereon is further continued until the first Monday of June next. And now here at this day, to wit, the first Monday of June, Eighteen hundred and fourteen, come again into the Court of Appeals here as well the said Joshua Dwer by his Attorney aforesaid as the said John B. Davage by Josiah Bayly Esquire his Attorney. Whereupon as well the record and proceedings aforesaid, and the Judgment given in form aforesaid, as the matters aforesaid by the said Joshua Dwer above for errors assigned being seen and fully understood by the Court here and mature deliberation thereupon had, for it appears to the Court here that there is no error either in the record and proceedings aforesaid or in the giving Judgment aforesaid, therefore it is considered by the Court here, that the Judgment aforesaid given in form aforesaid, be in all things affirmed and stand in full force and effect the said causes for error above assigned and alledged in any wise notwithstanding and it is further considered by the Court here that the said John B. Davage have execution against the said Joshua Dwer as well for the Damages Costs and Charges aforesaid, as adjudged unto him in the said County Court of Worcester, as also the sum of Ten Dollars sixty one and two thirds cents, adjudged unto the said John B. Davage by the Court here, for his costs and charges which he hath sustained by occasion of the delay of the execution of the Judgment aforesaid, by prosecution of the prosecution of the said Appeal by the said Joshua Dwer, of and upon the premises aforesaid prosecuted. James Harrod Clk

Memorandum. Judgment was affirmed in this cause on the 8th day of June 1814.

Isabella Dinsmore against Cuthbert Hall

Be it remembered that 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 Isabella Dinsmore, Plaintiff and Cuthbert Hall, defendant, and wherein the said County Court gave Judgment for the said Dinsmore against the said Hall, and from which said Judgment the said Hale 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 Set. 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 The Honorable Richard Tilghman Earle Esquire Chief Judge. Henl. Pennell & Thos Morris Esqrs Assc. Judges Edward Browne Esquire Sheriff and Benjamin Chambers Clerk

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

Isabella Dinsmore } Be it remembered that heretofore, to wit, on the thirteenth day of March
versus } in the year of our Lord Eighteen hundred and twelve, the said Isabella
Cuthbert Hall } Dinsmore by Ephm F. Chambers prosecutor and duel sworn 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 and of the tenor following to wit

Kent County Set. The State of Maryland, To the Sheriff of Kent County, Greeting. You
Seal of Kent County Court } are hereby commanded to take Cuthbert Hall late of Kent County, if he shall be found in your Bailiwick and him safe keep, so that you have his