and he prays likewise that the Court here may proceed to the examination as well of the record and Proceedings aforesaid as of the matter aforesaid by the said Samuel Griffith above for errors assigned and that the said Judgment may be in all things affirmed. 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 William & James McDonald as on the part of the said Samuel Griffith before the Judges of this Court here & 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.

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 William & James McDonald by their attorney aforesaid as the said Samuel Griffith by Benjamin W. Leonard Esquire his attorney, whereupon as well the record and proceedings aforesaid as the matter aforesaid by the said Samuel Griffith above for errors assigned, being seen and fully understood by the Court here & 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 William & James McDonald have execution against the said Samuel Griffith as well for the debt, damages, costs and charges aforesaid as adjudged unto them in the said County Court of Dorchester, as also the sum of Ten Dollars thirty nine and two thirds cents adjudged unto the said William and James McDonald by the Court here for their damages costs and charges which they have sustained by reason of the delay of the execution of the Judgment aforesaid by pretence of the prosecution of the said Appeal by the said Samuel Griffith of and upon the premises as aforesaid prosecuted. Test James Parrott Cl.

Memorandum. Judgment in this cause was affirmed on the eighth day of June Eighteen hundred and fourteen. Stay of execution till the first day of March 1815.

James Neall, use of Saml. & Danl. Neall against Bennett Bracco.

"Be it remembered that on the first Monday of June eighteen hundred and thirteen, the Chief Justice and associate judges of the Court of Appeals in such cases made & provided, upon inspection of the Judgments of a County in such cases made & provided, upon inspection of the Judgments of Talbot County Court, pursuant to the Court of Appeals here, the record and proceedings of a plea which was lately depending in the said County Court, between James Neall, plaintiff, and Bennett Bracco, defendant, and wherein the said County Court gave Judgment for the said James Neall against the said Bennett Bracco, and from which said Judgment the said Bennett Bracco prayed an appeal into the Court of Appeals here, the tenor of which said record and proceedings is in form following, to wit: At a County Court of the State of Maryland begun and held at Easton, in Talbot County, on the fourth Monday in May eighteen hundred and thirteen it being the ninth day of the same month before the Honorable Richard T. Earle Esquire Chief Judge and other ministers and officers of the said Court duly commissioned and qualified to hold the said Court of whom were present The Hon.ble Richard T. Earle, Esquire Chief Judge. Thomas Stevens Esquire Sheriff. L. Lochermann Cl.

The record and proceedings in Talbot County Court were as follows, to wit.

James Neall, use of Daniel & Samuel Neall, vs. Bennett Bracco.

No. 188 u. bk. Nov. Bill pule plea. "Be it remembered that on the seventh day of April eighteen hundred and twelve, James Neall for the use of Daniel & Samuel Neall sued out of Talbot County Court here, a Writ of Capias ad respondendum directed to the Sheriff of Talbot County, in the words and figures following, to wit:

"The State of Maryland to the Sheriff of Talbot County, Greeting.

We command you that you take Bennett Bracco late of Talbot County, Gentleman, if he shall be found in your bailiwick and him safe keep so that you have his body before the Judges of our County Court to be held at Easton in the said County, on the fourth Monday of May next to answer unto James Neall in a plea that he render unto him the sum of One hundred and eighty eight dollars and sixty four cents money of account of the United States of America of the value of seventy pounds fourteen shillings and nine pence and six tenths of a penny current money of Maryland which from him he unjustly detains & so forth. Witness your seal and have you then and there this Writ. Witness the honorable Richard Tilghman Earle, Esquire, Chief Judge of our said Court the 1st day of November anno Domini 1811. Issued the 15th day of April 1812. (7/13) L. Lochermann Cl.

At which said fourth Monday in May eighteen hundred and twelve come here into Court the ap.t James Neall by Thomas James Bullitt Esquire his attorney, and the Sheriff of the County to whom the said Writ was directed likewise comes and makes return that he had taken the body of the same Bennett Bracco whom he had ready at the day and place according to the exigence of the said Writ. Whereupon the said Bracco being solemnly called came and at the prayer of the ap.t Neall by his attorney aforesaid the said Bracco was laid under a rule of the Court to give special bail in the plea aforesaid. Whereupon a certain Solomon Lowe of the County aforesaid, comes here into Court in his own proper person and with the consent of the said Neall by his attorney aforesaid becomes pledge and bail for the said Bracco that if it should happen that the said Bracco shall be convicted at the suit of the said Neall in the plea aforesaid then the said Solomon Lowe consents that as well the debt aforesaid as all such damages costs and charges as shall be adjudged unto the said Neall in this behalf shall be made of his body lands and chattels and levied to the use of the said Neall if it shall happen that the said Bracco 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 day is given as to the ap.t Bracco as to the ap.t Neall until the next Court. At which said next Court, to wit, the second Monday in November eighteen hundred and twelve, comes here again into Court the parties ap.t by their attorneys aforesaid, and the ap.t Neall by his Attorney ap.t affiles his Declaration in the plea ap.t in the words and figures following, to wit.

Talbot County, to wit. Bennett Bracco late of Talbot County Gentleman, was summoned to answer unto James Neall in a plea that he render unto him the sum of one hundred and eighty eight Dollars and sixty four cents money of account of the United States of America of the value of seventy pounds fourteen shillings and nine pence and six tenths of a penny current money of Maryland which from him he unjustly detains and so forth. And whereupon the said James Neall by Thomas James Bullitt his attorney, says, that the said Bennett Bracco on the thirteenth day of March in the year of our Lord eighteen hundred and nine at the County aforesaid by his certain Bill obligatory which sealed with the seal of the said Bracco the said Neall here into Court doth bring the date whereof is the same day & year ap.t acknowledged himself to owe and be justly indebted unto the said Neall in the ap.t sum of one hundred and eighty eight dollars and sixty four cents money of account of the United America for value of him received, to be paid to the said Neall twelve months after the date of the said Bill with legal Interest thereon from the date of the said Bill until paid to the Payment whereof well and truly to be made the said Bracco bound himself his heirs executors and administrators firmly by the said Bill obligatory. And the said Neall doth aver that the ap.t sum of Dollars and cents on the day and year was, ever since that time hath been & yet is of the value of seventy pounds fourteen shillings and nine pence and six tenths of a penny current money of Maryland to wit at the County aforesaid, whereof the said Bracco on that day and year often afterwards there had notice. Nevertheless the said Bracco, although thereto afterwards often required the said sum of Dollars and Cents or Interest or any part thereof or the said value or any part thereof unto the said Neall yet hath not hitherto or paid but the said sum of Dollars and cents or Interest, or any part thereof, or the said value or any part thereof to render or pay unto the said Neall the said Bracco hitherto altogether