expended to him to be adjudged &c. Therefore it is considered by the Court here that the said Thomas Atkinson recover against the said Richard Martindale as well the sum of One hundred pounds current money his Debt aforesaid by the said Martindale in form aforesaid — as the sum of seven dollars and fifty four cents for his damages which he hath sustained as well by occasion of the detention of the said Debt as for his costs and charges by him about his suit in this behalf expended, adjudgeth unto the said Atkinson by the Court here, with his assent and the said Martindale &c.

Memorandum. Judgment was confessed in this action on the 28th day of May 1813. for Penalty & Costs, to be released on payment of $150. with Interest from the 23d day of July 1811. till paid & Costs, Stay of Execution till next Term.

And thereupon the said Martindale by his said Attorney prays that he may appeal from the Judgment aforesaid of the Court here so as aforesaid rendered to the high Court of Appeals and to him the same is granted by the Court here, whereupon the said Martindale exhibited to the Court here an appeal Bond entered into by himself and two sureties, which by the Court here are approved of, the tenor whereof ensueth in the following words to wit — "Know all men by these presents, that we Richard Martindale, Levin T. Spedden and Abner Dowling of Talbot County are held and firmly bound unto Thomas Atkinson of the same County, in the full & just sum of two hundred and fifty pounds current money of Maryland to be paid to the said Thomas Atkinson his certain Attorney, Executors, administrators or assigns. to the payment whereof well and truly to be made and done we bind ourselves our heirs executors & administrators, jointly & severally firmly by these presents, sealed with our seals and dated this second day of June in the year of our Lord Eighteen hundred and fourteen. Whereas at a County Court of the State of Maryland, holden for Talbot County, at Easton in the said County before the Judges thereof, at the May Term of the said Court in the year of our Lord Eighteen hundred and thirteen the said Thomas Atkinson obtained a Judgment against the said Richard Martindale for as well the sum of One hundred pounds current money of Maryland a certain Debt and Penalty, as for the sum of eight Dollars and four Cents Costs of suit, to be released on the payment of One hundred and fifty Dollars with Interest thereon from the twenty third day of July Eighteen hundred and eleven till paid and Costs, by which said Judgment the said Richard Martindale deems himself aggrieved, and therefrom hath appealed to the Court of Appeals of the State of Maryland to be holden for the Eastern Shore of the said State. The Condition therefore of the foregoing Obligation is such, that if the said Richard Martindale, appellant shall not pursue the directing of an Act of Assembly, entitled "An Act for regulating limits of error & granting appeals from and to the Courts of Common Law within this Province" at the next Court assuming before whom the appeal aforesaid ought to be tried, and prosecute the same appeal with effect, and also satisfy and pay to the said Thomas Atkinson his Executors, Administrators or assigns, in case the said Judgment shall be affirmed, as well all and singular the Debt Damages & Costs adjudged by the Court before whom the action aforesaid was first brought & 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 & determined; then the said Obligation to be void and remain in full force and virtue in Law, otherwise of no effect. Richd. Martindale (Seal) Levin T. Spedden (Seal) Abner his X mark Dowling (Seal)

Upon the petition & declaration in the premises of the said Thomas Atkinson 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 held for the Eastern Shore of the said State at Easton on the first Monday in June next & they are transmitted accordingly.

In Testimony that the foregoing Record is truly and justly taken & copied from the Record & proceedings of Talbot County Court. I have hereto set my hand & affixed the seal of my office this 7th day of June 1814.

Lockerman Clk of Talbot County Court

And now comes into the Court of Appeals here as well the said Thomas Atkinson by

Nicholas Hammond Esquire his Attorney, as the said Richard Martindale by Thomas Bullitt and John Leeds Kerr Esquires his Attorneys; and the said Richard Martindale by his Attorney aforesaid, suith that in the record and proceedings aforesaid and also in the giving of Judgment aforesaid there is manifest error in divers ways, that by the record aforesaid it appears that the Judgment aforesaid in the plea aforesaid given, was given for the said Thomas Atkinson against the said Richard Martindale when by the law of the land that Judgment ought to have been given for the said Richard Martindale against the said Thomas Atkinson, therefore in that there is manifest error, &c he prays that the Judgment aforesaid for that error, and others being in the record and proceedings aforesaid may be reversed, annulled & held entirely as void; and that he the said Richard Martindale may be restored to all that he has lost by occasion of the said Judgment, and that the said Thomas Atkinson may rejoin to the errors aforesaid &c. And the said Thomas Atkinson by his Attorney aforesaid, says, there is no error in the record and 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 Richard Martindale above for errors 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 Richard Martindale as of the said Thomas Atkinson before the Judges of this Court here &c. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties & their Attornies aforesaid by order of the Court here thereon is continued unto the last Monday of November next. At which day, to wit, the last Monday of November Eighteen hundred & fourteen, came again into the Court of Appeals here the parties aforesaid by their Attornies aforesaid; thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attornies aforesaid and by order of the Court here thereon is further continued unto the first Monday of June next.

And now here, at this day, to wit, the first Monday of June eighteen hundred & fifteen came again into the Court of Appeals here the parties aforesaid, by their Attornies aforesaid whereupon as well the Record and Proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said Richard Martindale above for errors assigned, being seen & fully understood by the Court here, and mature deliberation thereupon had; for it appears to the Court here that there is no error in the record & 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 & alleged, in any wise notwithstanding, and it is further considered by the Court here that the said Thomas Atkinson have execution against the said Richard Martindale, as well for the debt, damages, costs and charges aforesaid, as adjudged unto him in the said County Court of Talbot, as also the sum of twelve Dollars eighteen & one third cents, adjudged unto the said Thomas Atkinson by the Court here for his damages costs & charges which he hath sustained by occasion of the delay of the execution of the Judgment aforesaid by pretence of the prosecution of the said appeal by the said Richard Martindale &c & upon the premises as aforesaid prosecuted.

Memorandum. Judgment affirmed June 7th 1815. Test James Parrott Clerk

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Morgan Browne, Junior against **Benjamin Worrell.**

Be it remembered, that on the first Monday of June Eighteen hundred and fourteen 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 Morgain Browne Jr. plaintiff, & Benjamin