the said Elizabeth Thomas deems herself aggrieved and therefrom hath appealed to the Court of Appeals of the State of Maryland to be held for the Eastern Shore of the said State. The Condition therefore of the foregoing obligation is such that if the said Elizabeth Thomas appellant shall not pursue the directions of an act of Assembly entitled "an act for regulating writs of error and granting appeals from 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 & pay to the said George Demming his Executors administrators or assigns in case the said Judgment shall be affirmed as well all and singular the said Debt & 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 & determined then the said Obligation to be void and remain in full force & virtue in law otherwise of no effect. Elizabeth Thomas (Seal) for: Mann (Seal) Wm Spencer (Seal) signed sealed & delivered in the presence of William Moffitt.

Which being read and heard and the security in the said bond being by the Court here approved this therefore adjudged by the said Court here that the record & proceedings aforesaid in the plea aforesaid with all things thereunto relating be transmitted to the said Court of Appeals of the State of Maryland to be held for the Eastern Shore of the said State & the same and transmitted to the said Court accordingly. Test Ben Chambers Clk

Memorandum. Judgment was rendered in this cause on the twenty eighth day of March 1810. for the penalty of the Bond and Costs of suit. Tobe released on payment of the sum found by the Jury with Interest from that day until paid & costs. Test Ben Chambers Clk

Maryland Kent County set. I hereby Certify, that the written & aforegoing is truly taken & copied from the record and proceedings of the County Court of Kent. In Testimony whereof to this Exemplification I hereunto subscribe my name and affix the Seal of the said County Court this twenty ninth day of May in the year of our Lord Eighteen hundred & ten. Ben Chambers Clk Kent Co. Ct. Seal

And now at this day comes into the Court of Appeals here as well the said Elizabeth Thomas by William Carmichael Esquire, as the said John Redding by William Barroll his attorney and thereupon on motion of the said John Redding by his attorney aforesaid it is ruled by the Court here, that the said Elizabeth Thomas assign the errors in the record & proceedings of the Judgment Judgment aforesaid brought before the Court here for the correction the errors errors supposed to be therein, or Judgment by the Court here will be entered against her in default thereof; whereupon the said Elizabeth Thomas by her 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 Redding against her the said Elizabeth Thomas when by the law of the land that Judgment ought to have been given for her the said Elizabeth Thomas against the said John Redding therefore in that there is manifest error and she prays that the Judgment aforesaid for that error and others being in the record & proceedings may be reversed, annulled & held entirely as void, and that she the said Elizabeth Thomas may be restored to all that she has lost by occasion of the said Judgment and that the said John Redding may rejoin to the same aforesaid. And the said John Redding by his attorney aforesaid saith there is no error in the record and proceedings aforesaid or in the rendition of the Judgment aforesaid and likewise prays that the Court here proceed to the examination as well of the record & proceedings aforesaid as of the matters aforesaid by the said Elizabeth alleged for errors assigned, and that the said Judgment may in all things be affirmed &c. But because the Court here are not advised to give their Judgment of & upon the premises day therefore is given to the parties aforesaid until the second Monday of December next to hear their Judgment of and upon the premises because the

Court now here thereof are not yet advised &c. At which said second Monday of December eighteen hundred and ten, come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid but because the Court here are not advised to give their Judgment of and upon the premises day therefore is given to the said parties until the second Monday of June next to hear their Judgment of and upon the premises because the Court here are not advised &c. At which said second Monday of June in the year of our Lord eighteen hundred and eleven come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid but because the Court here are not advised to give their Judgment of and upon the premises day therefore is given to the said parties until the second Monday of December next to hear their Judgment of and upon the premises because the Court now here thereof are not yet advised &c. And now here at this day to wit, the second Monday of December in the year of our Lord one thousand eight hundred and eleven, come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid. Whereupon all and singular the proceedings being seen and by the Court here more fully understood & mature deliberation thereupon had for that it appears to the Court here that there is manifest error in the record and proceedings aforesaid and also in the condition of the Judgment aforesaid therefore it is considered by the Court here that the Judgment aforesaid for the errors and others in the record and proceedings aforesaid be annulled, reversed & held entirely as void, and that the said Elizabeth Thomas be restored to all things which by reason of the Judgment aforesaid she hath lost, and because it clearly appears to the Court here that Justice & the merits of the case require that there should be a new trial of the issue aforesaid therefore the Court here, according to the directions of the Act of Assembly in such case made and provided order & direct a remission of the record and proceedings aforesaid to the Clerk of the said County Court of Kent with the seal of the State of Maryland of Procedendo to the said County Court directing them to proceed in the action aforesaid to a new trial thereof in the same manner as if no trial had taken place or any appeal had been prosecuted, it is also considered by the Court here that the said Elizabeth Thomas recover against the said John Redding the sum of Thirty nine Dollars and fifty five cents by the Court here adjudged unto the said Elizabeth Thomas on her assent for her costs and charges by her about her prosecution of the said appeal laid out and expended, and that the said Elizabeth Thomas have thereof execution &c. and the record and proceedings aforesaid with the said writ of Procedendo are therefore remitted to the Clerk of the said County Court of Kent accordingly. Test James Earle Clk

The State of Maryland, to wit. I do hereby Certify to all persons whom it doth or may concern, that the written and aforegoing is truly & faithfully taken & copied from the original Record now remaining in the Court of Appeals Office for the Eastern Shore of the said State. In Testimony whereof I have hereunto set my hand and affixed the public Seal of my Office this 13th day of January 1812. James Earle Clk (Seal)

The State of Maryland to the Chief Justice and associate Justices of Kent County Court. Whereas the Court of Appeals being lately certified of the record and proceedings in a certain plea of debt and so forth which was in the County Court of Kent aforesaid between George Demming plaintiff and Elizabeth Thomas Executrix of the last will & Testament of a certain William Thomas late of Kent County, deceased, defendants, in which said plea you rendered Judgment against the said Elizabeth Thomas and from which said Judgment so rendered the said Elizabeth Thomas did appeal unto the said Court of Appeals, and the said Court of Appeals having duly examined the record and proceedings aforesaid in the premises aforesaid at Easton in Talbot County on the second Monday of December last and reversed the Judgment aforesaid by you rendered as to the opinion & direction by you given to the Jury as stated in the Bill of Exceptions in the record and proceedings aforesaid contained and therefore there is manifest error in the rendition of that Judgment, wherefore for the causes aforesaid appearing to the said Court of Appeals & agreeably to the act of Assembly in such case made and provided, the plea aforesaid with the record & proceedings