appeal from the Decree aforesaid rendered to the high Court of Appeals for the hearing thereof which is accordingly granted and the proceedings ordered to be transmitted which is accordingly done — Maryland ss. In Testimony that the aforegoing is a true copy from the record of proceedings of the State of Maryland high Court of Chancery I have hereunto set my hand and affixed the Great Seal of said State this second day of February in the year of our Lord eighteen hundred & fourteen — James P. Heath Reg Cancellor.

And now comes into the Court of Appeals here as well the said Samuel Harvey and James Worth by William Carmichael, Esquire their Attorney, as the said John Ward & John W. Conaway by Luther Martin Nicholas Hammond Esquire their Attorney: thereupon further process of and upon the premises and between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid & 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 fifteen, comes again into the Court of Appeals here as well the said Samuel Harvey & James Worth by their Attorney aforesaid, as the said John Ward & John W. Conaway by Luther Martin & Nicholas Hammond Esquires their Attorney. Whereupon as well the record and proceedings aforesaid, as the Decree & given in form aforesaid 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 either in the record & proceedings aforesaid, or in the giving the Decree aforesaid, therefore it is considered by the Court here that the Decree aforesaid given in form aforesaid be in all things affirmed & stand in full force and effect, and it is further considered by the Court here that the said Samuel Harvey & James Worth recover against the said John Ward & John W. Conaway the further sum of Fifty Dollars & seventy one and two thirds cents adjudged unto the said Harvey & Worth by the Court here for their costs and charges which they have sustained by reason of the delay of the execution of the Decree aforesaid, by pretence of the prosecution of the said Appeal by them the said Ward & Conaway & it and upon the premises aforesaid prosecutal — Memorandum Decree affirmed June 7th 1815.

Test James Parrott Clk

Francis James against **William Mezick**

Be it remembered that on the first Monday of June eighteen hundred and fourteen, the Chief Justice and Associate Justices of Somerset County Court, in pursuance of the Act of Assembly in such case made & 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, wherein Francis James was plaintiff, and William Mezick, defendant, and whereon the said County Court gave Judgment for the said Francis James against the said William Mezick, and from said Judgment the said William Mezick did appeal unto the Court of Appeals here, the tenor of which said Record and proceedings is in form following, viz.

Maryland Somerset County, to wit. At a County Court of the fourth Judicial District of the State of Maryland begun and held at Princess Anne, in and for the County of Somerset aforesaid on the second Monday of April being the eleventh day of the said month in the year of our Lord one thousand eight hundred and fourteen, and in the thirty eighth year of the Independence of the United States of America, by the Judges and other officers of the same Court duly affirmed commissioned and qualified agreeable to Act of Assembly for that purpose made & provided were present The Honorable John Done Esquire Chief Judge — James P. Robins & William Whittington, Esquires Associate Judges — William Waller Esquire Sheriff — Isaiah Polk, Clerk. In the record of proceedings of the said Court, among others were the following, viz.

Fr. Francis James against Wm. William Mezick

Be it remembered that heretofore to wit, on the twenty third day of March in the year of our Lord one thousand eight hundred & thirteen, the said Francis James by Thomas Bayly Esquire his

Attorney prosecuted and sued forth out of the County Court here the Writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Somerset County, in the words following, to wit. Somerset to wit. The State of Maryland. to the Sheriff of Somerset County, Greeting: We Command you to take William Mezick late of Somerset County, Yeoman, if he shall be found in your bailiwick then safe keep so that you have his body before us at Princess Anne, the second Monday in April next to answer unto Francis James in a plea that he render unto him the sum of Three hundred and sixty one dollars & thirty one cents which to him he owes & from him he unjustly detains &c. Hereof fail not at your peril and have you then and there this Writ. Witness the Honorable James P. Robins, Esquire Chief one of the associate Judges of our said Court the fourteenth day of September Anno Domini 1814. Issued this twenty third day of March Anno Domini one thousand eight hundred & thirteen

Isaiah Polk Clk.

N.B. At which said second Monday of April being the twelfth day of the same month in the year of our Lord one thousand eight hundred and thirteen, and the day of the return of the aforegoing Writ, comes into the County Court here the said Francis James by his Attorney aforesaid, and the Sheriff of Somerset County aforesaid to wit, William Waller, Gentleman, to whom the said aforegoing Writ was in form aforesaid directed makes return thereof to the Court here, thus endorsed, to wit Somerset County ss. By virtue of this Writ to me directed I have taken the within named William Mezick whose body I have ready before the County Court within named, at the day and place within contained, as I am within commanded. William Waller Sheriff

And the said William Mezick being called appears in Court here by John Coltman his Attorney, and thereupon on motion of the said Francis James by his Attorney aforesaid it is ruled by the Court here that the said William Mezick give special bail in the plea aforesaid or in default thereof be committed to the Custody of the Sheriff of Somerset County aforesaid. Whereupon a certain Joseph Kennerly of Somerset County, present here in Court in his proper person comes with the consent of the said Francis James by his said Attorney, becomes pledge & bail for the said William Mezick, that if it shall happen that the said William Mezick shall be convicted at the suit of the said Francis James in the plea aforesaid, then the said Joseph Kennerly consents that of the debt aforesaid as also such damages Costs and charges as shall be adjudged unto the said Francis James in this behalf shall be made of his body lands & chattels and levied to the use of the said Francis James, if it shall happen that the said William Mezick, shall not pay the said debt damages Costs and charges or render himself to the prison & custody of the Sheriff of the County aforesaid on that occasion. And thereupon the said William Mezick by his said Attorney, prays that the said Francis James may declare against him the said William Mezick in the plea aforesaid: Whereupon it is ruled by the Court here that the said Francis James declare against the said William Mezick in the plea aforesaid, and if the said Francis James doth not declare against the said William Mezick in the plea aforesaid Judgment will be rendered against him by default: And the said Francis James by his said Attorney prays leave of the Court here to imparle until the second Monday of September next, to declare against the said William Mezick in the plea aforesaid and he hath it, the same day is given to the said William Mezick then &c. At which said second Monday of September being the thirteenth day of the same month in the year of our Lord one thousand eight hundred and thirteen, until which day the said Francis James had leave to imparle, and then to declare against the said William Mezick in the plea aforesaid comes as well the said Francis James as the said William Mezick by their Attorneys aforesaid, and the said Francis James by his said Attorney prays further leave of the Court here to imparle until the second Monday of April next to declare against the said William Mezick in the plea aforesaid, and he hath it, the same day is given to the said William Mezick, then &c. At which said second Monday of April being the eleventh day of the same month in the year of our Lord one thousand eight hundred and fourteen until which day the said Francis James had leave to imparle, and then to declare against the said William Mezick in the plea aforesaid, comes as well the said Francis James by his Attorney aforesaid as the said William Mezick by John Coltman & Isaiah Bayly, his