by their Attornies aforesaid, and the said Rigby Hopkins by his Attorney afs; defends the force and injury when &c. and saith that he cannot gainsay the action afs; of the said Stewart Redman so as afs; against him brought, nor but that he owes to the said Stewart, the said sum of three thousand eight hundred and seventy seven Dollars and thirty four cents, Current money, in manner and form afs; as the said Stewart Redman above against him hath declared therefore it is considered by the Court here, that the said Stewart Redman recover against the said Rigby Hopkins as well the said sum of three thousand eight hundred and twenty seven Dollars & thirty four Cents Current money, his Debt afs; in form afs; confessed, as also the sum of seven Dollars & seventy five Cents Current money, by the Court here unto him the said Stewart Redman, on his assent adjudged for his Damages which he hath sustained, as well by reason of the detention of the said Debt as for his Costs and Charges by him about his suit in this behalf laid out and expended, and the said Rigby Hopkins in mercy &c. Mem: Judgment was confessed, in this case, on the 18th day of November 1815. for for the penalty & Costs, to be released on payment of principal, Interest & Costs, payments if any to be allowed. — And thereupon the aforesaid Rigby Hopkins by his Attorney aforesaid, prays an Appeal from the Judgment afs; so as afs; rendered, to the High Court of Appeals of the Eastern Shore of the State of Maryland, and it is granted him. Whereupon the said Rigby Hopkins, by his Attorney aforesaid, files in Court here, a certain writing obligatory, commonly called an Appeal Bond and which recites in the following, to wit — KNOW all men by these presents, that we, Rigby Hopkins and Richard Robinson & Richard Martindale, all of Talbot County in the State of Maryland, are held and firmly bound unto Stewart Redman, of the same County and State, in the full and just sum of eight thousand Dollars, Current money of Maryland, to be paid to the said Stewart Redman, his certain Attorney, his Executors, Administrators or Assigns; to the payment whereof, well & truly to be made & done, we bind ourselves, our Heirs, Executors and Administrators, jointly & severally, firmly by these presents, sealed with our seals and dated this twenty third day of November, in the year of our Lord, Eighteen hundred and fifteen — 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 November Term of the said Court, in the year of our Lord, Eighteen hundred and fifteen, the said Stewart Redman obtained a Judgment against the said Rigby Hopkins, as well for the sum of three thousand eight hundred & seventy seven Dollars & thirty four Cents, Current money of Maryland Debt, as for the sum of seven Dollars & seventy five Cents, Costs of suit, to be released on the payment of one thousand nine hundred and thirty eight Dollars and sixty seven Cents Current money of Maryland, with Lawful Interest thereon from the first day of March, in the year Eighteen hundred & fourteen, till paid and Costs — By which said Judgment the said Rigby Hopkins deems himself aggrieved, and therefore 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 Rigby Hopkins, Appellant, shall not pursue the directions of an act of Assembly, entitled "An act for regulating writs of Error & 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 and pay to the said Stewart Redman, his Executors, Administrators or Assigns in case the said Judgment shall be affirmed, as well all & singular, the Debt & Costs adjudged by the Court, before whom the action aforesaid was first brought, and from whose Judgment the Appeal was made, as also, all Costs & Damages that shall be awarded by the Court, before whom the Appeal afs; shall be heard, tried and determined, then the said Obligation to be & remain in full force & virtue in Law, otherwise of no effect.

Rigby Hopkins (Seal) Richd Robinson (Seal) Richd Martindale (Seal)

Signed, sealed and delivered in the presence of Robert Spencer, Edward Spencer.

Which being read & heard, and the securities in the said Bond, being by the Court here approved, it is therefore ordered by the said Court here, that the Record and Proceedings afs; in the plea afs; with all things thereunto relating, be transmitted to the said High Court of Appeals of the said State, and the same are transmitted to the said Court accordingly.

The State of Maryland, Talbot County, to wit: I do hereby Certify, to all persons whom it doth or may concern, that the aforegoing is a true transcript of the original Record and Proceedings now remaining in my Office — In Testimony whereof, I have hereto set my hand & affixed the public seal of my Office this 18th day of November 1815. — J. Lockerman Clk.

(Seal — State of Talbot County Court)

And now comes into the Court of Appeals here, as well the said Stewart Redman, by William Haward Esqr his Attorney as the said Rigby Hopkins by Thomas S. Bullitt Esquire his Attorney; And the said Rigby Hopkins by his Attorney aforesaid saith, that in the Record and Proceedings afs; and also in the giving of Judgment aforesaid here is manifest error in this, to wit, that by the record aforesaid it appears, that the Judgment afs;

in the plea aforesaid given, was given for the said Stewart Redman against the said Rigby Hopkins, when by the law of the land that Judgment ought to have been given for the said Rigby Hopkins against the said Stewart Redman, 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 Rigby Hopkins may be restored to all that he has lost by occasion of the said Judgment, and that the said Stewart Redman may rejoin to the errors aforesaid &c. and the said Stewart Redman, 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 may proceed to the examination of all of the record and proceedings aforesaid, as of the matters aforesaid by the said Rigby Hopkins 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 and fully discussed as well on the part of the said Rigby Hopkins as on the part of the said Stewart Redman, 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 Attornies aforesaid, it is 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 last monday of May, being the day to which the Court of Appeals here, by virtue of an act of the General Assembly in such case made & provided, was changed, continued & adjourned, comes again into the Court of Appeals here, the parties aforesaid, by their Attornies aforesaid — whereupon as well the record & proceedings aforesaid and the judgment given in form aforesaid, as the matters aforesaid by the said Rigby Hopkins 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 afs; 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 alleged in any wise notwithstanding, and it is further considered by the Court here that the said Stewart Redman have execution against the said Rigby Hopkins, as well for the debt Damages, costs & Charges aforesaid as adjudged unto him in the said Court of Talbot, as also the sum of Ten Dollars Eighty eight cents & one third of a Cent adjudged unto the said Stewart Redman 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 Rigby Hopkins, of and upon the premises aforesaid prosecuted. — Test. James Parrott Clk.

Memorandum: Judgment affirmed 27th May 1816. Stay till 1st March —

James Smith
Eli Simkins &
Jno R. Caldwell
vs.
Jos: H. Nicholson Jr.

Be it Remembered that on the first monday of June, in the year Eighteen hundred and fifteen, the Chief Justice and Associate Justices of Queen Anns 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 James Smith, Eli Simpkins & John R. Caldwell Plaintiffs, and Joseph H. Nicholson Jr. Defendant, and wherein the said County Court gave Judgment for the said James Smith, Eli Simkins & John R Caldwell against the said Joseph H. Nicholson Jr. and from which said Judgment, the said Joseph H. Nicholson Jr. prayed an Appeal unto the Court of Appeals here; the tenor of which said record & proceedings is in form following, to wit —

Maryland, Queen Anns County, to wit — At a County Court of the second Judicial District of the State aforesaid, begun and held at Centre Ville in the County aforesaid on the first monday in May, in the year of Our Lord, Eighteen hundred and fifteen, before the Honorable the Judges of the said Court, and other Offices duly Commissioned and qualified to hold the same Court, of whom were Present The Honble. Richard S. Earle Esqr Chief Judge, Samuel Powell Esqr & Thomas Worrell Esqr Associate Judges, John Browne Clk.

Richard Moffett Esqr Shff —

In the record of proceedings of the said Court, amongst other things were the following, to wit —

James Smith, Eli Simpkins & John R. Caldwell
vs.
Joseph H. Nicholson Junr

Can. Spt. Nov. rule plea —

Be it Remembered that heretofore, to wit, on the fourteenth day of March, in the year of Our Lord One thousand eight hundred and fifteen, the Plaintiffs in this cause, by William Carmichael their Attorney prosecuted and sued forth out of the County Court here, the writ of the State of Maryland, of Capias ad respondendum