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 Solomon Semans have execution against the said John M. Newnam & wife, as well for the Debt, Damages, Costs and Charges aforesaid as adjudged unto him in the said County Court of Kent, as also the sum of Eleven Dollars adjudged unto the said Solomon Semans by the Court here by occasion of the delay of the execution of the his day and Costs and charges which he hath sustained Judgment aforesaid, by the pretence of the prosecution of the said Appeal by the said John M. Newnam & wife & his wife of and upon the premises as aforesaid prosecuted — Test. James Parrott Clk.

Memorandum. Judgment Affirmed 20th May 1816. Stay till 1st March

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Richard Tubman Exor of Rich.d
agt
Levin Philips (of Levin)

Be it Remembered that on the first monday of June, in the year Eighteen hundred and fifteen, the Chief Justice and Associate Judges of Dorchester 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 Richard Tubman Exor of Rich.d Plaintiff and Levin Philips (of L.) Defendant, and wherein the said County Court gave Judgment for the said Richard Tubman Exor as afs.d against the said Levin Philips and from which said Judgment the said Levin Philips prayed an Appeal unto the Court of Appeals here, the tenor of which said record & proceedings is in form following to wit. —

In the Records and proceedings of Dorchester County Court, it is enrolled as follows, to wit. **Maryland, Dorchester County, to wit.** At a County Court of the State of Maryland, held for Dorchester County aforesaid at Cambridge, within said County, on the twentieth day of March, in the year of our Lord, Eighteen hundred and fifteen, before the Honorable William Bond Martin and his Associates, Judges of the same County Court, duly Commissioned and sworn, of whom were present The Honorable William Bond Martin Esquire, Chief Judge, James B. Robins Esquire, William Whittington Esq.r Associate Judges — Thomas James Pattison Esquire Sheriff. — E. Richardson Clk.

Richard Tubman Exor of Richard Tubman
vs.
Levin Philips (of L.)

Command was given to the Sheriff of Dorchester County, on the eighth day of February in the year of our Lord, Eighteen hundred and fourteen, that he should take Levin Pillips (of Levin) late of Dorchester County, Yeoman, if he should be found, and him in his custody should safely keep, so that he should have his body before the Judges of Dorchester County Court, to be held at Cambridge, in the said County, on the third monday in March then next following, to answer unto Richard Tubman Executor of the last Will and Testament of Richard Tubman (deceased) of a plea that he render unto him the sum of one thousand and thirty six Dollars Current money, which unto him he owes, and from him he unjustly detains &c. and that he should have then and there that writ. — At which mentioned day, to wit, the said third monday in March Eighteen hundred and fourteen, came here into Court, the said Richard Tubman, by Josiah Bayly, his Attorney, and Thomas James Pattison, the Sheriff of the County aforesaid, to the Court here made return, that he had taken the body of the said Levin Phillips, and the same had ready, according to the exigence of the said Writ. And the said Levin Phillips by William Bond Martin, his Attorney, came here into Court. And thereupon, the same Levin Phillips at the prayer of the said Richard Tubman was ruled to give special bail in the plea aforesaid. Whereupon Matthias Travers of Dorchester County, came here into Court before the Judges aforesaid in his proper person, and became pledge and mainceaptor for the aforesaid Levin Philips, that if it should happen, that Judgment by the Court here, for the aforesaid Richard Tubman, in the plea aforesaid against the said Levin Phillips, should be rendered, then the same Matthias Travers granted, that as well the debt aforesaid, as all such Damages, Costs and Charges, which unto the aforesaid Richard Tubman in this part should, by the Court be adjudged of his lands and Chattels should be made, and to the use of the said Richard Tubman levied, if it should happen that the said Levin Phillips, the said Debt, Damages, Costs & Charges unto the said Richard Tubman, should not pay or his body in Execution of such Judgment, to the public prison of Dorchester County aforesaid by that occasion, should not render. And thereupon day was given as well to the said Richard Tubman as to the said Levin Phillips by the Court here until the fourth monday in October then next following. At which day, to wit, the said fourth monday in October, here came again, as well the said Richard Tubman as the said Levin Phillips by their Attorneys aforesaid, and the said Richard Tubman, by his Attorney aforesaid, affiled his Declaration in the plea aforesaid against the said Levin Phillips in manner and form following, that is to say — **Dorchester County, to wit:** Levin Phillips of Levin late of Dorchester County, Yeoman, was summoned to answer unto Richard Tubman Executor of the last Will and Testament of Richard Tubman (Deceased) of a plea that he render unto him the sum of one thousand and thirty six Dollars Current money, which unto him he owes, and from him he unjustly detains &c. And whereupon the said Richard, by Josiah Bayly his Attorney, saith, that the said Levin, on the second

day of March, in the year of our Lord, Eighteen hundred and eleven, at the County aforesaid, by his certain Bill Obligatory, sealed with the seal of the said Levin, and here into Court now brought, the date whereof is the day and year aforesaid, acknowledged himself to be indebted to the said Richard, the testator in his lifetime, in the aforesaid sum of one thousand and thirty six Dollars Current money of the United States, to be paid to the said Richard, the Testator, at or upon the fifteenth day of April, in the year Eighteen hundred and twelve — Nevertheless the said Levin, the aforesaid sum of money, or any part thereof unto him the said Richard, the Testator, in his lifetime, or to the said Richard Executor as aforesaid since the Death of the said Testator, yet hath not rendered or paid, at the times often required, but the same to them to render or pay he hitherto altogether hath refused and still doth refuse to pay the same to the said Richard, the plaintiff, to the damage of the said Richard, the Plaintiff, two thousand Dollars Current money of the United States, and therefore he brings suit &c. and he also brings here into Court, his letters testamentary, whereby it sufficiently appears that he is Executor as aforesaid &c. &c. —

Josiah Bayly for the Plaintiff. John Doe & Richard Roe, pledges &c. —

The Bill Obligatory, whereof mention is made in the aforegoing Declaration follows as follows, to wit. —

This my note shall oblige me, my Heirs, Executors and Administrators to pay or cause to be paid unto Richard Tubman, his Heirs, or Assigns, or order, the full and just sum of one thousand and thirty six Dollars, gold and lawfull money of the United States of America, at or upon the fifteenth day of April in the year Eighteen hundred and twelve, but if not paid by the said time, to carry Interest, until paid, it being for value of him received. As witness to the same I hereunto set my hand and seal this second day of March, Eighteen hundred and eleven —

Witness Jno. 1036.00. — Levin Phillips. (Seal)

And the said Levin Phillips, by his Attorney aforesaid, defends the wrong and injury when &c. and prayed leave to imparl thereon here until the third monday in March then next following, and it was granted unto him, the same day was given to the said Richard Tubman there &c. — And now here, at this day, to wit, the said third monday in March, Eighteen hundred and fifteen, come again, as well the said Richard Tubman by his Attorney aforesaid as the said Levin Phillips, by Thomas James Pattison his Attorney. And the said Levin Phillips, by his Attorney aforesaid saith, that he cannot gainsay the action aforesaid, of the said Richard Tubman, nor can he deny, but that the bill obligatory aforesaid is the deed of him, the said Levin Phillips, nor but that he owe the sum unto the said Richard Tubman, the aforesaid sum of one thousand and thirty six Dollars, Current money in such manner as the said Richard Tubman, against him hath complained. — Wherefore it is considered by the Court here, that the said Richard Tubman do recover, against the said Levin Phillips, his debt aforesaid, in form aforesaid acknowledged, as also the sum of seven hundred and fifty Eight Cents, Current money, as well for his Damages which he hath sustained by occasion of the detention of that debt, as for his Costs and Charges, by him about his suit in that behalf expended, unto the said Richard Tubman, by the Court here, with his Assent adjudged &c. and the said Levin Phillips in mercy &c. —

E. Richardson Clk.

Judgment was confessed in this action, on the twenty third day of March, Eighteen hundred and fifteen, for debt and Costs Tax Interest — Payments if any to be allowed. —

And the said Levin Phillips, by his Attorney aforesaid, prays that he may Appeal from the Judgment aforesaid of the Court here, to the Judges of the Court of Appeals, and to him the same is granted, on his complying with the directions of the act of Assembly, in such case made and provided. Whereupon the said Levin Phillips, by his Attorney aforesaid, exhibited to the Court here, an Appeal Bond, entered into by himself and two securities, who by the Court are approved of, which Bond ensues in the following words, to wit. — **Know** all men by these presents, that we, Levin Phillips of L. and Samuel Hearn and John Buchanan, all of Dorchester County, in the State of Maryland, are held and firmly bound unto Richard Tubman, Executor of Richard Tubman, in the full and just sum of two thousand and five hundred Dollars Current money of Maryland, to be paid to the said Richard Tubman, Executor of the said Richard Tubman, his certain Attorney, his Executors, Administrators or Assigns. To the payment whereof, well & truly to be made and done, we bind ourselves, our Heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals and dated this twenty fourth day of March, in the year of our Lord, Eighteen hundred and fifteen. — **Whereas**, at a County Court of the State of Maryland, held for Dorchester County, at Cambridge, in the said County, before the Judges thereof, at the March Term of the said Court, in the year of our Lord, Eighteen hundred and fifteen, the said Richard Tubman, Executor of Richard Tubman, obtained a Judgment against the said Levin Phillips, as well for the sum of one thousand and thirty six Dollars Current money of Maryland, a certain debt, as for the Costs of suit. Interest to be laid on the debt from the second day of March, in the year, Eighteen hundred and eleven, till paid, by which said Judgment the said Levin Phillips deems himself aggrieved and therefore 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