by his Attorney aforesaid says that 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 Levin Phillips above for errors assigned and that the said Judgment may be in all things affirmed &c. Whereupon it is prayed 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 Levin Phillips as on the part of the said William Wallace before the Judges of the Court here whereupon further process of and upon the premises aforesaid between the parties aforesaid ——o—— by consent of the said parties and their Attorneys aforesaid and by order of the Court here thereon is continued until the last monday if November next. At which day to wit the last monday of November Eighteen hundred and fifteen come again into Court here the parties aforesaid by their Attorneys aforesaid whereupon further process of and upon the premises aforesaid between the parties aforesaid ——o——o—— by consent of the said Parties and their Attorneys aforesaid and by order of the Court here thereon is further 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 by virtue of an act of the General Assembly in such case made and provided was changed continued and adjourned come again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid whereupon as well the record and proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said Levin Phillips 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 ——o——o——o——o—— that there is no error either in the Record and 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 and alledged in any wise notwithstanding and it is further considered by the Court here that the said William Wallace have execution against the said Levin Phillips as well for the debt damages costs and charges aforesaid as adjudged unto him in the said County Court of Dorchester as also the sum of ten Dollars fifty two cents & two thirds of a Cent adjudged unto the said William Wallace by the Court here for his Damages Costs and 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 Levin Phillips of and upon the premises aforesaid prosecuted. —— Test James Parrott Clk.

William Wallace Survr. of **Richard Tubman** vs. **Levin Phillips**

Be it Remembered that on the first monday of June in the year Eighteen hundred and fifteen, the Chief Justice and associate Justices 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 William Wallace, Survivor of Richard Tubman, Plaintiff and Levin Phillips, Defendant, and wherein the said County Court gave Judgment for the said William Wallace against the said Levin Phillips, and from which said Judgment, the said Levin Phillips prayed an Appeal unto the Court of Appeals here, the tenor of which said record and 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, in the said County on monday 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 Esquire, Associate Judges. — Thomas James Pattison Esquire, Sheriff. — E. Richardson Clk.

William Wallace Survr. of **Richard Tubman** vs. **Levin Phillips** (of L.)

Commond 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 Phillips, of Levin late of Dorchester County, yeoman, if in his Bailiwick 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 William Wallace, Survivor of Richard Tubman, of a plea, that he render unto him the sum of four hundred and fifty Dollars and ninety one Cents Current money, which unto him he owes, and from him he unjustly detains and withholds — 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 William Wallace

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 William Wallace, 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 mainucaptor for the aforesaid Levin Phillips, that if it should happen that Judgment by the Court here, for the aforesaid William Wallace 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 William Wallace, in this part, should by the Court be adjudged of his lands and Chattels should be made, and to the use of the said William Wallace levied, if it should happen that the said Levin Phillips, the said Debt, Damages, Costs and Charges unto the said William Wallace 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 William Wallace, 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 William Wallace, as the said Levin Phillips by their Attorneys aforesaid, and the said William Wallace, by his Attorney aforesaid, affixed his Declaration in the plea aforesaid, against the said Levin Phillips, in manner and form following, to wit. — Dorchester County, to wit. Levin Phillips of Levin, late of Dorchester County, yeoman, was summoned to answer unto William Wallace Survivor of Richard Tubman, of a plea, that he rendered unto him the sum of four hundred and fifty Dollars and ninety one Cents, Current money, which unto him he owed and unjustly detained &c. — And whereupon the said William, by Josiah Bayly his Attorney saith, that the said Levin on the ninth day of July, in the year of our Lord, Eighteen hundred and nine, 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 same day and year aforesaid, acknowledged himself to be indebted unto the said William and a certain Richard Tubman, in the lifetime of the said Richard, which said Richard hath since deceased, and whom the said William hath survived in the aforesaid sum of four hundred and fifty Dollars and ninety one Cents to be paid to the said William and Richard when he the said Levin should be thereunto afterwards required. — Nevertheless the said Levin, the aforesaid sum of money, or any part thereof, unto the said William and Richard, in the lifetime of the said Richard, or to the said William, since the Death of the said Richard, whom the said William hath survived, yet hath not rendered or paid, although thereunto often required, but the same or any part thereof, to the said William and Richard, in the lifetime of the said Richard or to the said William, since the death of the said Richard, whom the said William hath survived, to render or pay hitherto altogether hath refused and still doth refuse, to the Damage of the said William, nine hundred Dollars Current money of the United States, and thereupon he brings suit &c. — Josiah Bayly, Att'y for Pltff. John Doe & Richd. Roe, pledges &c. — The Bill obligatory whereof mention is made in the aforegoing Declarations, ensues as follows to wits —

This my note shall oblige me, my Heirs, Executors and Administrators, to pay or cause to be paid unto Richard Tubman and William Wallace, their Heirs and Assigns, or order, the full and just sum of four hundred and fifty Dollars, ninety one Cents, good money, with legal Interest thereon till paid, it being for value of them received — As witness to the same, I have hereunto set my hand and seal, this ninth day of July, Eighteen hundred and nine — Levin Phillips (Seal)

Bazely Caraway —

And the said Levin Phillips, by his Attorney aforesaid defends the wrong and injury when &c. and prays leave to imparle 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 William Wallace then &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 William Wallace, by his Attorney aforesaid as the said Levin Phillips, by Thomas James Bullitt his Attorney, and the said Levin Phillips, by his Attorney aforesaid saith, that he cannot gainsay the action aforesaid of the said William Wallace, nor can he deny but that the Bill obligatory aforesaid is the Deed of him the said Levin Phillips, nor but that he oweth unto the said William Wallace the aforesaid sum of four hundred and fifty Dollars and ninety one Cents Current money, in such manner as the said William Wallace against him hath complained — Therefore it is considered by the Court here that the said William Wallace 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 William Wallace by the Court here with his assent adjudged &c. and the said Levin Phillips in mercy &c. —

E. Richardson Clk.