thousand eight hundred and fifteen, the above named Philip Wallis, Executor of Bathsheba Codden, by Judgment of the same Court, recovered against the above bound Mary Comegys and George Comegys, Administrators of Samuel Comegys, as well the sum of two thousand Dollars Current money aforesaid a certain debt, as the sum of eight Dollars and sixty one Cents, for his Damages which he sustained, as well by reason of the detention of that debt, as for his Costs and Charges, by him, about his suit in that behalf laid out and expended, whereof the said Mary Comegys and George Comegys are convict &c. from which said Judgment, so as aforesaid rendered, the said Mary Comegys & George Comegys hath prayed an Appeal to the next Court of Appeals — Now the Condition of the above Obligation is such, that if the above bound Mary and George Comegys, shall not pursue the direction of the act of Assembly, entitled "an act for regulating writs of error, and granting Appeals from, and to, the Court of Common Law within this province," at the next Court of Appeals, and prosecute the same with effect, and also satisfy and pay unto the said Philip Wallis, his Executors, Administrators or Assigns, in case the said Judgment shall be affirmed, as well all and singular, the Debt, Damages and Costs adjudged by the Court aforesaid, as also all Costs and Damages that shall be awarded by the Court of Appeals aforesaid, then this bond to be, and remain in full force and virtue, otherwise, of no effect — Mary Comegys (Seal) Geo: Comegys (Seal) Phil: Brooks (Seal) Thos Brooks (Seal) — Signed, sealed and delivered in the presence of Freeman Comegys. —

Which being read and heard, and the securities, in the said Bond, being, by the Court here approved, it is thereupon ordered by the Court here, that the record and proceedings aforesaid, in the plea aforesaid, with all things thereunto relating, be transmitted to the said Court of Appeals of the said State, and the same are transmitted to the said Court accordingly. —

Test Ben: Chambers Clk:

Kent County Sc. I Hereby Certify, that the aforegoing is truly taken and Copied from the record of proceedings of the County Court of Kent aforesaid. — In Testimony whereof, to this exemplification I hereunto subscribe my name and affix the public seal of my Office, on this eighteenth day of May, in the year of our Lord, one thousand eight hundred and fifteen, and in the thirty ninth year of the Independence of the United States of America — Ben: Chambers Clk. of Kent Co. (Seal of Kent County Court)

And now here come into the said Court of Appeals here, as well the said Philip Wallis, Executor as aforesaid, by James C. Barroll, Esquire, his Attorney, as the said Mary Comegys and George Comegys, Administrators as aforesaid, by William Carmichael, Esquire, their Attorney, and the said Mary and George Comegys, by their Attorney aforesaid, say, 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 Philip Wallis Executor as aforesaid against the said Mary & George Comegys, Admrs: as aforesaid, when by the law of the land, that Judgment ought to have been given for the said Mary & George Comegys against the said Philip Wallis, therefore, in that there is manifest error, and they pray, 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 they the said Mary & George Comegys Admrs: as aforesaid, may be restored to all that they have lost by occasion of the said Judgment, and that the said Philip Wallis Exor: as aforesaid, may reply to the errors aforesaid &c. and the said Philip Wallis Executor as aforesaid, 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 here may proceed to the examination as well, of the record and proceedings aforesaid, as of the matters aforesaid by the said Mary and George Comegys, Admrs: as aforesaid, 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 Philip Wallis Exor: as aforesaid, as on the part of the said Mary & George Comegys Admrs as aforesaid, before the Judges of the Court here. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid came — " — by consent of the said parties and their Attorneys aforesaid, and by order of the Court here thereon is continued until the last monday of November next. At which day, to wit, the last monday of November Eighteen hundred and fifteen, come again into the Court of Appeals here, the parties aforesaid by their Attorneys aforesaid thereupon further process of and upon the premises aforesaid between the parties aforesaid came — " — 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

here, by virtue of an act of the General Assembly in such case made and provided, was continued, changed, and adjourned, come again into the Court of Appeals here, the parties aforesaid, by their Attorneys aforesaid, whereupon, as well the record & proceedings aforesaid, and the Judgment given in form aforesaid, as the matters aforesaid by the said Mary & George Comegys 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 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 Philip Wallis Executor as aforesaid have execution against the said Mary & George Comegys, Administrators as aforesaid, as well for the debt, damages, costs and charges aforesaid, as adjudged unto him ~~in the and Court of Kent~~, as also the sum of Eleven Dollars and eighty one cents, adjudged unto the said Philip Wallis Executor as aforesaid, 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 Mary and George Comegys of and upon the premises as aforesaid prosecuted. — Test. James Barroll Clk

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Thomas Whittington use of Robt. Cruikshank vs. Morgan Brown (Doct.)

Be it Remembered that on the first monday of June, in the year Eighteen hundred and fifteen, the Chief Justice and Associate Justices of Kent 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 Thomas Whittington, Assignee of Robert Cruikshank, Plaintiff and Morgan Brown (Doct.) Defendant, and wherein the said County Court gave Judgment for the said Thomas Whittington, assignee as aforesaid against the said Morgan Brown, and from which said Judgment the said Morgan Brown prayed an Appeal unto the Court of Appeals here, the tenor of which said Record and proceedings is in form following, to wit. — Maryland, Kent County Sc. — At a County Court of the second Judicial District of the State of Maryland, begun and held at the Court House, in the Town of Chester in and for Kent County aforesaid, on the third monday of March, being the twentieth day of the same month, in the year of our Lord, one thousand eight hundred and fifteen, and in the thirty ninth year of the Independence of the United States of America — Were present, The Honble: Richard Tilghman Earle, Esquire, Chief Judge, Samuel Purnell & Thomas Worrell, Esquires, Associate Judges — Edward Browne Esquire Sheriff and Benjamin Chambers Clerk. —

In the record of Proceedings of the said Court, among other things were the following, to wit. —

Thomas Whittington Assee of Robert Cruikshank vs. Morgan Brown, (Doc.)

Be it Remembered, that heretofore, to wit, on the twenty second day of February, in the year Eighteen hundred and fourteen the said Thomas Whittington, Assignee as aforesaid by James C. Barroll, Esquire, his Attorney prosecuted and sued forth out of the County Court here, the writ of the State of Maryland, of Capias ad respondendum to the Sheriff of Kent County aforesaid, directed in the words and figures, and of the tenor following, to wit. —

Kent County, to wit, The State of Maryland, To the Sheriff of Kent County, Greeting: You are hereby Commanded to take Morgan Brown of Kent County aforesaid, otherwise called Morgan Browne of Kent County and State of Maryland, if he shall be found in your Bailiwick, and him safe keep, so that you have his body before the County Court, to be held at the Court House, in the town of Chester, in and for the said County of Kent, on the third monday of March next, to answer unto Thomas Whittington, Assignee, according to the form of the ~~form~~ of the act of Assembly in such case lately made and provided, of Robert Cruikshank, in a plea, that he render unto him the sum of three hundred and ninetieen pounds shillings and six pence, Current money which the said Morgan owes, ~~to~~, and unjustly detains from, the said Thomas &c. Hereof fail not at your peril, and have you then and there this writ, Witness the Honorable Richard Tilghman Earle, Esquire, Chief Judge of the said County Court, the 20. day of Sept. Anno Domini 1813. Issued this 22. day of February, Anno Domini 1814. — Ben: Chambers Clk: —

At which mentioned third monday of March, being the twenty first day of the same month, in the year Eighteen hundred and fourteen, and the day of the return of the aforegoing writ, comes into the County Court here, the said Thomas Whittington, Assignee as aforesaid, by his Attorney aforesaid, and the Sheriff of Kent County aforesaid, to wit: Edward Browne, Gentleman, to whom the said writ was, in form aforesaid, directed, and makes return thereof to the Court here, thus endorsed, to wit. — "Kent County Sc. By virtue of this writ, to me directed, I have taken the within named Morgan Browne, whose body I have, ready before the County Court within named, at the day