Costs adjudged by the County 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.—

Morgan Brown (Seal) Richard Frisby (Seal) J. N. Gordon (Seal)

signed, sealed and delivered in the presence of B. Hands.— Which being read and heard, and the sureties in the said bond being, by the Court here approved, it is therefore 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, to be holden for the Eastern Shore of the said State, and the same are transmitted to the said Court of Appeals accordingly.—

Test: Ben: Chambers Clk:

Kent County Sc.— I hereby Certify that the within and aforegoing is truly taken from the record of proceedings of the County Court of Kent aforesaid.— In Testimony whereof, I hereunto subscribe my name and affix the public seal of my Office, on this third day of June, 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.—

(Seal of Kent County Court)

Ben: Chambers Clk: of Kent County Court, Md.—

And now here comes into the said Court of Appeals, as well the said Thomas Whittington, Assignee as aforesaid, by James T. Barrell, Esquire, his Attorney, as the said Morgan Brown (Dect) by William Carmichael Esquire his Attorney, thereupon further process of and upon the premises aforesaid, between the parties aforesaid, —"— by consent of the said parties and their Attornies 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 Attornies aforesaid; and the said Morgan Brown, by his Attorney aforesaid saith, 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 Thomas Whittington, assignee as aforesaid, against the said Morgan Brown, when, by the law of the Land that Judgment ought to have been given for the said Morgan Brown against the said Thomas Whittington, 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 and held entirely as void, and that he the said Morgan Brown may be restored to all that he has lost by occasion of the said Judgment, and that the said Thomas Whittington may rejoin to the errors aforesaid, &c. and the said Thomas Whittington, 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 Morgan Brown 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 Morgan Brown as on the part of the said Thomas Whittington, Assignee as aforesaid; before the Judges of the Court here. Thereupon further process of and upon the premises aforesaid, between the parties aforesaid —"— by consent of the said parties and their Attornies 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 changed, continued and adjourned, come again into the Court of Appeals here, the parties aforesaid, by their Attornies aforesaid; whereupon, as well the record and proceedings aforesaid, and the Judgment given in form aforesaid, as the matters aforesaid, by the said Morgan Brown, 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 errors for error, above Assigned and alledged in any wise notwithstanding, and it is further considered by the Court here, that the said Thomas Whittington, Assignee as aforesaid, have execution against the said Morgan Brown, 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, sixty eight Cents, & one third of a Cent, adjudged unto the said Thomas Whittington, Assignee 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 Morgan Brown, of and upon the premises as aforesaid prosecuted.— Test: James Parrott Clk.

Thomas Wilson, use of Wm. Barrell vs. John T. Kennard

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 Wilson use of William Barrell Plaintiff and John T. Kennard Defendant, and wherein the said County Court gave Judgment for the said Thomas Wilson against the said John T. Kennard, and from which said Judgment the said John T. Kennard 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 twenty first day of the same 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.—

Were present, The Hon'ble Richard Deighman Earle, Esquire, Chief Judge, Lemuel Purnell & Thomas Worrell Esquires, Associate Judges.— Edward Browne, Esquire, Sheriff and Benjamin Chambers Clk.

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

Thomas Wilson for the use of William Barrell vs. John T. Kennard

Be it Remembered, that here before, to wit, on the fourteenth day of February, in the year of our Lord, one thousand eight hundred and fourteen, the said Thomas Wilson, by William Barrell, Esquire, his Attorney, prosecutes and sues forth out of the County Court here, the writ of the State of Maryland, of Capias ads respondendum, to the Sheriff of Kent County, 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 John T. Kennard late of Kent County, 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 Wilson in a plea that he render unto him the sum of two hundred pounds, Current money of Maryland, which to him he owes and from him he unjustly detains &c. Hereof fail not at your peril, and have you then and there this writ. Witness the Honorable Richard Deighman Earle, Esquire Chief Judge of the said County Court the 20 day of September Anno Domini 1813.— Issued this 4th day of February Anno Domini 1814.— (Seal) 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 Wilson 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. I hereby Certify to the Honorable the County Court, within mentioned, that the within named John T. Kennard is not to be found within my Bailiwick, so that I could not have his body before the said County Court, on the day and place within contained, as by the said writ I am Commanded.— So answers Edward Browne Shff:— Nevertheless, the said John T. Kennard by James T. Barrell Esquire, his Attorney voluntarily comes into Court here and defends the force and injury and wrong when &c. and the said Thomas Wilson, by his Attorney aforesaid, declares, in the Court here, against the said John T. Kennard, in the plea aforesaid, and in manner and form, following, to wit.— "Kent County, to wit, John T. Kennard late of Kent County, was summoned to answer unto Thomas Wilson, in a plea that he render unto him, the sum of two hundred pounds, Current money of Maryland, which to him he owes, and unjustly detains &c.— And whereupon the said Thomas, by William Barrell his Attorney says, that whereas, the aforesaid John, on the twenty seventh day of February eighteen hundred and thirteen, at Kent County aforesaid, by his certain writing Obligatory, with his seal, sealed, and the Court here shewn, the date whereof is the day and year aforesaid, acknowledged himself to be held and firmly bound unto the said Thomas, in the aforesaid sum of two hundred pounds, Current money, to be paid to the said Thomas when afterwards he should be thereunto required.— Nevertheless the aforesaid John (altho' often thereunto required) the aforesaid sum of money to the aforesaid Thomas hath not rendered or paid, but the same to the said Thomas, hitherto, to render or pay, he hath altogether refused and still doth refuse, to the damage of the said Thomas, in the sum of four hundred pounds, Current money, and therefore he brings suit &c. W. Barrell Atty: for Plff: pledges &c. John Doe & Richard Roe. And the said John T. Kennard by his Attorney aforesaid, defends the force and injury when &c. and saith that he cannot gainsay the action aforesaid, of the said Thomas Wilson, nor can he deny, but that he owes unto the said Thomas Wilson, the aforesaid sum of two hundred pounds, Current money, in manner and form as the said Thomas Wilson above against him hath complained; therefore, it is considered by the Court here, that the said Thomas Wilson recover against the said John T.