Administrator 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 leave that the Court here may proceed to the examination, as well of the record & proceedings aforesaid as of the matters aforesaid by the said Richard S. Frisby 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 matter in controversy between the parties aforesaid be argued & fully discussed as well on the part of the said Richard S. Frisby, as on the part of the said Robert L. Gamble, Administrator as aforesaid before the Judges of this Court here &c. thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid & 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 seventeen come again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid, whereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid & by order of the Court here thereon is continued until the last Monday of May next. And now here at this day, to wit, the first Monday of June 1817 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 Attorneys aforesaid, whereupon as well the record and proceedings aforesaid and the Judgment given in form aforesaid, as the matters aforesaid by the said Richard S. Frisby above for errors assigned being seen and fully understood by the Court here and mature deliberation being 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, being 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 Robert L. Gamble Administrator as aforesaid have execution against the said Richard S. Frisby, as well for the debt, damages, costs & charges aforesaid, as adjudged unto him in the said County Court of Kent, as also the sum of Eleven Dollars twenty eight and two thirds cents, adjudged unto the said Robert L. Gamble, administrator as aforesaid, by the Court here for his 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 him the said Richard S. Frisby of and upon the premises as aforesaid prosecuted.

Test James Parrott, Clerk.

Memorandum. Judgment affirmed the 5. June 1817.

Bartus Frew, Exor of Edward Wilkins against Richard S. Frisby

Be it Remembered that on the last Monday of May eighteen hundred and sixteen, the Chief Judge & Associate Justices of Kent County Court, in pursuance of the Act of Assembly in such case made & provided transmit to the Court of Appeals here the Record & proceedings of a plea which was lately depending before them in the said County Court between Bartus Frew, Executor of Edward Wilkins plaintiff, and Richard S. Frisby Defendant & wherein the said County Court gave Judgment for the said Bartus Frew, Executor as aforesaid, against the said Richard S. Frisby and from which said Judgment the said Richard S. Frisby prayed an Appeal to the Court of Appeals here, the tenor of which said Record & Proceedings is in form following to wit: Maryland Kent County ss. 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 on the third Monday of March being the eighteenth day of the said month, in the year of our Lord One thousand eight hundred and sixteen and the fortieth year of the Independence of the United States of America — Were Present

The Honble Richard Tilghman Earle, Esquire Chief Judge
Samuel Purnell Esquire & Thomas Worrell, Esquire Associate Judges

Ephraim Vansant Esquire Sheriff.

Among the Records & proceedings of the said Court are the following to wit: Wm. Coll Clk Kent Cty Ct.

Be it Remembered that heretofore to wit, on the first day of March in the year of our Lord one thousand eight hundred and sixteen, Bartus Frew Executor of the Testament & last Will & Testament of Edward Wilkins late of Kent County, deceased, by Ezekiel F. Chambers his Attorney prosecuted out of Kent County Court here the Writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Kent County, in the words and figures following to wit: Kent County ss. The State of Maryland. To the Sheriff of Kent County Greeting. You are hereby commanded to take Richard S. Frisby late of Kent County, if he shall be found in your Bailiwick & 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 Bartus Frew, Executor of the Testament and last Will of Edward Wilkins late of Kent County deceased of a plea that he render unto him the sum of One hundred and twenty dollars current money, which from him he unjustly detains and hath. 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 twenty first day of September Anno Domini 1815. Issued this first day of March Anno Domini 1816. Benj. Chambers Clk Kent Cty Ct.

(seal of Kent County Court)

At which mentioned third Monday of March, it being the twentieth day of the same month in the year of our Lord one thousand eight hundred and sixteen, and the day of the return of the aforegoing writ comes into Kent County Court here the said Bartus Frew, Executor as aforesaid of the Testament of Edward Wilkins by Ezekiel F. Chambers his Attorney aforesaid, and the Sheriff of Kent County aforesaid to wit. Edward Brown, Gentleman to whom the said foregoing writ was in form aforesaid directed makes return thereof to the Court here this present Court. Kent County ss. By virtue of this Writ to me directed, I have taken the within named Richard S. Frisby whose body I have ready before the County Court here within named at the day and place within contained as I am within commanded — So answers — Edward Brown Sheriff. —

And the said Richard S. Frisby by James C. Barroll his Attorney appears in Court here & thereupon on motion of the said Richard S. Frisby by his Attorney aforesaid it is ruled by the Court here that the said Bartus Frew Executor as aforesaid of the said Edward Wilkins Wilkins declare against the said Richard S. Frisby in the plea aforesaid & Judgment by the Court here will be rendered against him in default thereof, and the said Richard S. Frisby by his Attorney aforesaid prays leave of the Court here to imparle until the third Monday of September next and to him it is granted: the same day is given to the said Bartus Frew also. At which said third Monday of September being the eighteenth day of the same month in the year of our Lord One thousand eight hundred and sixteen, comes again into Court here the parties aforesaid by their Attorneys aforesaid, and the said Bartus Frew by his Attorney aforesaid, declares against the said Richard S. Frisby in the plea aforesaid in form following to wit: Maryland Kent County ss. Richard S. Frisby late of Kent County was summoned to answer unto Bartus Frew Executor of the Testament and last Will of Edward Wilkins late of Kent County, deceased in a plea that he render unto him the sum of One hundred and twenty Dollars current money which from him he unjustly detains and hath: And whereupon the said Bartus by Ezekiel F. Chambers, his Attorney saith that whereas the said Richard on the first day of April in the year of our Lord one thousand eight hundred and eleven, at Kent County aforesaid by his certain Bill obligatory promised to pay to the said Edward Wilkins his Executors Administrators or Assigns the just & full sum of One hundred and twenty Dollars current money with legal interest thereon on or before the first day of April in the year of our Lord One thousand eight hundred and thirteen — Nevertheless the said Richard (although often thereto requested) hath not, on the fourth