December in the year of our Lord eighteen hundred and fourteen at the County aforesaid by his certain bill obligatory which sealed with the seal of the same Jordan, the same McNeal here in Court brings, the date whereof is the same day and year aforesaid acknowledges himself to owe the justly indebted unto the said McNeal in the aforesaid sum of Ninety five pounds eight shillings & four pence current money of Maryland for value of him received, to be paid to the said McNeal whenever after he should be thereto required, with legal interest thereon from the date of the said bill until paid to the payment whereof well and truly to be made & done the said Jordan bound himself firmly by the said bill obligatory. Nevertheless the said Jordan although thereto often required the said sum of money and interest or any part thereof unto the said McNeal yet hath not rendered or paid, but hitherto altogether hath refused & still doth refuse to the damage of the said McNeal five hundred Dollars current money of Maryland and he therefore brings this suit &c. Wm John Doe &c.

Thomas James Bullett for Pltffs. Pledges &c Richard Roe &c.

The bill obligatory mentioned in the foregoing Declaration, is as follows, to wit.

For value received I promise to pay, or cause to be paid unto Patrick McNeal his executors Administrators or assigns the just and full sum of Ninety five pounds eight shillings and four pence with legal interest thereon from this twenty second day of December eighteen hundred and fourteen. William Jordan (Seal). Test W. Peet & Parrott.

On the back whereof is thus endorsed to wit. For value received I do hereby assign over all my right, claim, title and interest of the within obligation to James Armstrong & Son of the City of Baltimore, and I also guarantee the payment of the same — Witness my hand this 20th March 1815. (Patrick McNeal Seal)

And thereupon the said McNeal by his attorney aforesaid prays that the said William Jordan may answer to the Declaration of him the said McNeal in the plea aforesaid, thereupon it is ordered by the Court here that the said Jordan, answer to the Declaration of him the said McNeal in the plea aforesaid otherwise judgment by the Court here will be rendered against him by default; and the said Jordan by his said Attorney defends the force and injury when &c and prays leave of the Court here to imparle until the fourth Monday of May next to answer to the Declaration of him the said McNeal in the plea aforesaid and he hath it, the same day is given to the said McNeal there &c. At which said fourth Monday of May next to wit, in the year eighteen hundred and sixteen, until which day the said Jordan had leave to imparle, and then to answer to the Declaration of him the said McNeal in the plea aforesaid comes as well the said McNeal as the said Jordan by their attorneys aforesaid and the said Jordan by his said attorney as before defends the force and injury when &c and saith that he cannot gainsay the action aforesaid of the said McNeal so as aforesaid brought against him, nor but that he owes unto the said McNeal the aforesaid sum of Ninety five pounds eight shillings & four pence current money, in manner and form as the said McNeal above against him hath declared. Therefore it is considered by the Court here that the said Patrick McNeal recover against the said William Jordan as well the said sum of Ninety five pounds eight shillings and four pence current money his debt aforesaid by the said Jordan in form aforesaid acknowledged to be due and owing to the said McNeal, as the sum of eight dollars & twenty five Cents, by the Court here unto the said McNeal on his assent adjudged for his Costs & Charges by him about his suit in this behalf laid out and expended. and the said Jordan in mercy &c —

Memorandum. Judgment was confessed in this action on the 27th day of May 1816. for debt & costs. tax interest from the 22nd day of December 1814. till paid & costs. payments if any to be allowed.

Thereupon the said Jordan by his said Attorney prays that he may appeal from the Judgment aforesaid of the Court here so as aforesaid rendered to the High Court of appeals & to him the same is granted by the Court here — Whereupon the said Jordan exhibited to the Court here an Appeal Bond, entered into by himself and two sureties which

by the Court here is approved of, the tenor whereof is in the following words, to wit —

Know all men by these presents that we William Jordan, John Bennett & William Hayward Jr all of Talbot County are held and firmly bound unto Patrick McNeal for the use of James Armstrong the said Patrick McNeal for the use of the said James Armstrong and for his certain attorney his executors, administrators or assigns, to the payment whereof well and 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 first day of June in the year of our Lord eighteen hundred and sixteen. Whereas at a County Court of the State of Maryland, holden for Talbot County at Easton in the said County before the Judges thereof at the May Term of the said Court in the year of our Lord Eighteen hundred and sixteen the said Patrick McNeal for the use of James Armstrong & Son obtained a judgment against the said William Jordan as well for the sum of Ninety five pounds eight shillings & four pence current money of Maryland a certain debt, interest to be taxed thereon from the twenty second day of December in the year of our Lord eighteen hundred and fourteen till paid as for the sum of Eight dollars and twenty five cents Costs of suit, by which said judgment the said William Jordan deems himself aggrieved and therefore hath appealed to the Court of Appeals of the State of Maryland to be holden for the Eastern Shore of the said State.

The Condition, therefore of the foregoing obligation is such, that if the said William Jordan, appellant shall not pursue the directions of an act of Assembly entitled An act for regulating writs of error and granting Appeals from and to the Courts of Common law within this province at the next Court ensuing before whom the appeal aforesaid ought to be tried & prosecute the same appeal with effect, and also satisfy and pay to the said Patrick McNeal for the use of James Armstrong and Son his executors, administrators and assigns, in case the said judgment shall be affirmed, as well all and singular the debt, interest & costs adjudged by the Court before whom the action aforesaid was first brought, and from whose Judgment the appeal aforesaid was made, as also all costs and Damages that shall be awarded by the Court, before whom the appeal aforesaid shall be heard tried and determined, then the said obligation to be and remain in full force and virtue in law, otherwise of no effect. William Jordan (Seal) Wm Hayward Jr (Seal) J Bennett (Seal)

Signed sealed and delivered in the presence of Wm Barton, James Bartlett

Thereupon it is ordered by the Court here that a Record of the proceedings aforesaid with all things thereunto pertaining be transmitted to the high Court of appeals of the State of Maryland to be held on the last Monday of November next at Easton, and they are transmitted accordingly

In Testimony that the foregoing Record is truly and faithfully copied from the Record of proceedings of Talbot County Court, I hereunto set my hand and affix the Public Seal of my Office this 12th day of June 1816 Jacob Lockerman Clk of Talbot County Court

And now comes into the Court of appeals here as well the said Patrick McNeal by Thomas J Bullitt, Esquire his attorney as the said William Jordan, by William Hayward Jr Esquire his attorney and the said Patrick McNeal by his attorney aforesaid saith that in the record & proceedings aforesaid and also in the giving of Judgment aforesaid there is manifest error in this Court, that by the Record aforesaid it appears that the judgment aforesaid in the plea aforesaid given was given for the said Patrick McNeal against the said William Jordan when by the law of the land that judgment ought to have been given for the said William Jordan against the said Patrick McNeal, 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 held entirely as void, and he the said William Jordan may be restored to all that he lost by occasion of the said judgment, and that the said Patrick McNeal may rejoin to the errors aforesaid

And the said Patrick McNeal by his attorney aforesaid says there is no error in the record and proceedings aforesaid & 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