Judgment by the Court here will be rendered against him in default thereof, and thesaid Stephen by his attorney aforesaid prays leave to imparle unto the third Monday of September next and to him its granted thesame day is given to thesaid Richard also.

At which said third Monday of September being the eighteenth day of thesame month in the year of our Lord one thousand eight hundred and fifteen, comes again into Court here the parties aforesaid by their Attornies aforesaid and thesaid Richard declares against thesaid Stephen in the plea aforesaid in form following to wit, Maryland Kent County ss. — And whereupon thesaid Richard by S. C. Barroll his attorney saith that whereas thesaid Stephen on the fourteenth day of October eighteen hundred and fourteen at Kent County aforesaid by his certain Bill obligatory bound himself to pay unto him thesaid Richard by the name of Richard S. Thomas, Administrator of Richard S. Thomas deceased his executors, administrators & assigns the sum of Eighty one Dollars and twenty two Cents, on or before the thirteenth day of February next thereunto following. Nevertheless thesaid Stephen, thesaid sum of Eighty one Dollars and twenty two Cents or any part thereof to him thesaid Richard hath not contented or paid, although so to do thesaid Stephen was afterwards, to wit, on the fourteenth day of February next ensuing the date of thesaid Bill and often afterwards at the County aforesaid by the said Richard requested but thesame or any part thereof to him thesaid Richard to render or pay he hath altogether refused and still doth refuse. Wherefore thesaid Richard saith he is the worse and hath damage to the value of Two hundred Dollars. Therefore he brings suit and so forth. And thesaid Richard brings here into Court the Bill obligatory sealed with the seal of him thesaid Stephen which testifies the debt aforesaid in form aforesaid, the date whereof is the day and year aforesaid and so forth.

S. C. Barroll, atty for Plff. pledges &c. S. Doc & R. Roe.

And thereupon on motion of thesaid Richard by his attorney aforesaid it is ruled by the Court here that thesaid Stephen answer to the declaration aforesaid of thesaid Richard in the plea aforesaid or Judgment by the Court here will be entered against him in default thereof; and thesaid Stephen by his said Attorney prays leave of the Court here to imparle until the third Monday of March next, and then to answer to the Declaration aforesaid of thesaid Richard in the plea aforesaid and to him its granted, and thesame day is given to thesaid Richard also. And now here at this day, to wit, thesaid third Monday of March being the eighteenth day of thesaid Month, in the year of our Lord one thousand eight hundred and sixteen, comes into Court here again the parties aforesaid by their Attornies aforesaid. (Oyer of the writing obligatory whereof mention is made in the aforegoing Declaration ensues in the following words and figures, to wit.

Richard S. Thomas vs Philip Wallis } No. 196, 197. Judgt. March 9. 1816.

Oyer of single Bill is as follows.

Stephen Demming & Richd. S. Frisby } We do hereby jointly and severally promise and oblige ourselves our heirs Executors and Administrators to pay & cause to be paid unto Richard S. Thomas, Administrator of Richard S. Thomas deceased his executors administrators and assigns the just & full sum of Eighty one Dollars & twenty two Cents current money of the United States on or before the thirteenth day of February next, with legal Interest from the date hereof for value received. As Witness our hands and seals this fourteenth day of October 1814. Stephen Demming (Seal)

Witness Ann Demming. Richard S. Frisby (Seal)

And thesaid Stephen by his attorney aforesaid defends the force and injury when &c. fourth and saith he cannot deny the action aforesaid of thesaid Richard so as aforesaid against him brought, nor but that he owes to thesaid Richard thesaid sum of Eighty one dollars and twenty two Cents current money in manner & form as thesaid Richard above against him hath declared, therefore its considered by the Court here that thesaid Richard recover against thesaid Stephen as well the

said sum of Eighty one Dollars and twenty two Cents current money, his debt aforesaid in form aforesaid acknowledged, as the sum of Forty Dollars for his Damages, and the further sum of six dollars seventy one and one third Cents current money for his Costs and charges by him about his suit in this behalf laid out and expended, adjudged unto thesaid Richard by the Court here with his assent and thesaid Stephen in mercy &c. forfeit.

Memorandum. Judgment was rendered in this cause on the twenty fifth day of March 1816. for debt, forty dollars damages and costs. Damages to be released on payment of Interest on debt from the fourteenth day of October eighteen hundred and fourteen till paid & Costs. Afterwards, to wit, on the twenty fifth day of March in the year of our Lord one thousand eight hundred and sixteen, aforesaid thesaid Stephen by his attorney aforesaid prayed an appeal from the Judgment aforesaid so as aforesaid rendered to the Court of Appeals of the State of Maryland for the Eastern Shore of thesaid State and its granted him — whereupon thesaid Stephen by his attorney aforesaid files in Court here a certain writing obligatory, commonly called an appeal Bond which is contained in the following words, to wit. Know all men by these presents that we Stephen Demming Richard S. Frisby & William Apsley of Kent County and State of Maryland are held & firmly bound unto Richard S. Thomas of the same County and State aforesaid in the full and just sum of two hundred fifty five Dollars eighty seven and one third cents current money, to be paid unto thesaid Richard S. Thomas or his certain attorney executors administrators or assigns, to which payment well and truly to be made we bind ourselves & every of us our & every of our heirs executors and administrators, jointly and severally firmly by these presents. Sealed with our seals and dated this twentieth day of June in the year of our Lord one thousand eight hundred and sixteen.

Whereas at a County Court begun and held at Chester Town, in Kent County, on the third Monday of March in the year of our Lord one thousand eight hundred & sixteen the above named Richard S. Thomas by the Judgment of thesame Court recovered against the above bound Stephen Demming, as well the certain sum of Eighty one Dollars & twenty two cents a certain debt, as the sum of Forty Dollars, Damages, & the further sum of $6.71⅓ Cents for his costs and charges by him in this behalf laid out & expended. whereof thesaid Stephen Demming is convicted &c. from which said Judgment so as aforesaid rendered, thesaid Stephen Demming hath prayed an Appeal to the next Court of Appeals. Now the Condition of the above Obligation is such, that if thesaid Stephen Demming shall not pursue the directions of the Act of Assembly entitled "An act for regulating writs of error and granting appeals from & to the Courts of Common law within this province" at the next Court of Appeals and prosecute the same with effect and also satisfy and pay unto thesaid Richard S. Thomas his executors administrators or assigns in case thesaid Judgment shall be affirmed as well all and singular the Debt, Damages and 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 void and remain in full force and virtue in law, otherwise of no effect.

Signed, Sealed & delivered in the presence of Samuel Smith — Stephen Demming (Seal) Richd. S. Frisby (Seal)

Which being read and heard and the securities in thesaid Bond being by the Court here approved by thesaid Court here that the Record & proceedings aforesaid in the plea aforesaid with all things thereunto relating be transmitted to thesaid Court of Appeals for the Eastern Shore of thesaid State and thesame are transmitted to thesaid Court accordingly. Test Wm. Scott Clk.

Maryland Kent County Sc. I hereby Certify that the within & aforegoing is truly & faithfully taken & Copied from the record of proceedings of Kent County Court. In Testimony whereof I have hereunto set my hand & affixed the public seal of my Office this twenty third day of November 1816. Wm. Scott Clk. K. C. Court

Seal of Kent County Court