And now comes into the Court of Appeals here as well the said Richard S. Thomas by James E. Barroll his Attorney, as the said Stephen Dunning by Ezekiel F. Chambers his Attorney: And the said Stephen Dunning 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 to wit, that by the Record aforesaid it appears that the Judgment aforesaid in the plea aforesaid given was given for the said Richard S. Thomas against the said Stephen Dunning when by the law of the land that Judgment ought to have been given for the said Stephen Dunning therefore in that there is manifest error and he prays that the Judgment aforesaid for that error and others being in the record & proceedings aforesaid may be reversed annulled & held utterly as void, and that he the said Stephen Dunning may be restored to all that he hath lost by occasion of the said Judgment, and that the said Richard S. Thomas may rejoin to the errors aforesaid &c. Whereupon it is prayed by the Court here that the matters in controversy between the parties aforesaid be argued & fully discussed, as well on the part of the said Stephen Dunning as on the part of the said Richard S. Thomas before the Judges of the 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 this month.

And now here at this day to wit, the first Monday of June Eighteen hundred and seventeen, come again into the Court of Appeals here the parties aforesaid, by their (it 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 & adjourned) Whereupon as well the Record & proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said Stephen Dunning above for errors assigned being seen and fully understood by the Court here & 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 of 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 Richard S. Thomas have execution against the said Stephen Dunning 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 Ten Dollars twenty three and one third cents adjudged unto the said Richard S. Thomas by the Court here for his costs and charges by him about his Suit in this behalf 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 Stephen Dunning of and upon the premises as aforesaid prosecuted

Test James Parrott Clerk

Memorandum. Judgment affirmed the 3d June 1817. Stay of execution till the 1st February next.

Richard S. Thomas, use of Philip Wallis against Richard S. Frisby

Be it remembered that the proceedings in this case and the same as in the preceding one against Stephen Dunning —

Test James Parrott Clk.

Thomas Carvill, use of Elizabeth Worrell against Bartus Piner

Be it remembered that on the last Monday of November Eighteen hundred and sixteen the Chief Justice & 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 and proceedings of a plea which was lately depending before them in the said County Court between Thomas Carvile, plaintiff and Bartus Piner, defendant And wherein the said County Court gave Judgment for the said Thomas Carvile against the said Bartus Piner and from which said Judgment the said Bartus Piner prayed an appeal to 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 September being the sixteenth day of the said month, in the year of our Lord One thousand eight hundred and sixteen and in the forty first year of the Independance of the United States of America — Present

The Hon.ble Richard Tilghman Earle, Esquire Chief Judge.

Samuel Purnell & Thomas Worrell, Esquires associate Judges

Ephraim Vansant 4th Esquire Sheriff. and William Scott Clk

Amongst the Records of proceedings of said Court and the following.

Thomas Carvile, use of Elizabeth Worrell vs Bartus Piner

Be it remembered that heretofore, to wit, on the seventh day of September in the year of our Lord one thousand eight hundred and fifteen, the said Thomas Carvile by William Barroll his Attorney, prosecuted & sued forth 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 & figures following to wit.

Kent County, to wit. The State of Maryland. To the Sheriff of Kent County Greeting.

Seal of Kent County Court

You are hereby Commanded to take Bartus Piner, 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 & for the said County of Kent on the third Monday of September next, to answer unto Thomas Carvile in a plea that he render unto him the sum of Eighteen hundred and forty three Dollars and eighty Cents current money of Maryland, which to him he owes & unjustly detains &c. And 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 20th day of March Anno Domini 1815. Tested this 7th day of Sept 1815. Ben Chambers Clk

At which mentioned third Monday of September it being the eighteenth day of the same month, in the year eighteen hundred and sixteen, and the day of the return of the aforesaid writ, comes into Court here the said Thomas Carvile, by his Attorney aforesaid, and the Sheriff of the County aforesaid to wit, Edward Brown, Gentleman, to whom the said aforesaid writ was in form aforesaid directed makes return to the said County Court here thus endorsed to wit. Kent County, to wit, By virtue of this writ to me directed I have taken the within named Bartus Piner, whose body I have before the County Court within named at the day and place within contained, as I am within commanded. Sealed & answered Edward Brown Shff.

And the said Bartus Piner by James E. Barroll his Attorney being called appears in Court here, and thereupon on motion of the said Thomas Carvile by his Attorney aforesaid it is ruled by the Court here, that the said Bartus Piner give special bail in the plea aforesaid. Whereupon a certain James Ingram of Kent County aforesaid comes here into Court in his own proper person and with the consent of the said Thomas Carvile by his Attorney aforesaid becomes pledge & bail for the said Bartus Piner, that if it shall happen that the said Bartus Piner shall be convicted at the suit of the said Thomas Carvile, in the plea aforesaid, then the said James Ingram consents that as well the debt, damages