law within this province at the next Court of Appeals, and prosecute the same with effect, and also satisfy and pay unto the said Thomas Carvile his executors, administrators or assigns in case the said Judgment shall be affirmed, as well all and singular, the debt, interest & costs adjudged by the Court aforesaid as also all costs and damages that shall be awarded by the Court of Appeals aforesaid, then this bond to be void remain in full force & virtue in law, else of no effect.

Barth Piner (Seal)
Edward Hurtt (Seal)
Benjamin Merrick (Seal)

Signed sealed & delivered, in the presence of James C. Barrott

Which being read and heard and the securities in the said Bond being by the Court here approved it is therefore Ordered by the said Court here that the record & proceedings aforesaid in the plea aforesaid with all things thereunto relating be transmitted to the said Court of Appeals of the State of Maryland for the Eastern Shore of the said State & the same are transmitted to the said Court accordingly Test Wm Scott Clk

Maryland Kent County Sct. I hereby Certify that the within and aforegoing is truly & faithfully taken 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, eighteen hundred & fifteen

Seal of Kent County Court

Wm Scott Clk

And now comes into the Court of Appeals here as well the said Thomas Carvile by Henry Tilghman Esquire his attorney as the said Bartus Piner by James C. Barrott Esquire his attorney. And the said Bartus Piner by his Counsel attorney 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 Thomas Carvile against the said Bartus Piner when by the law of the land that Judgment ought to have been given for the said Bartus Piner against the said Thomas Carvile, therefore in that there is manifest error, and he prays that the Judgment aforesaid for that error & others being in the record and proceedings aforesaid may be reversed annulled & held entirely as void and that he the said Bartus Piner may be restored to all that he hath lost by occasion of the said Judgment, and that the said Thomas Carvile may rejoin to the errors aforesaid &c. And the said Thomas Carvile by his Attorney aforesaid says there is no error in the record and proceedings aforesaid or in the rendition of the judgment aforesaid, and he 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 Bartus Piner 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 & fully discussed as well on the part of the said Bartus Piner as on the part of the said Thomas Carvile 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 and 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 Eighteen hundred and seventeen, being the day to which the Court of Appeals here by virtue of an act of the General Assembly in such case made & provided was adjourned continued and adjourned come again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid: Whereupon as well the record & proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said Bartus Piner above for errors assigned being seen & 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 & 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 Thomas Carvile have Execution against the said Bartus Piner 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 and eighty five Cents, adjudged unto the said Thomas Carvile 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 Bartus Piner of late the premises so aforesaid prosecuted.

Memorandum. Judgment affirmed the 3d day of June 1817. Stay of Execution till 1st February next. Test James Parrott Clk

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Michael Smith, use of Philip Wallis against Richard S. Frisby

Be it Remembered that on the last Monday of November Eighteen hundred and sixteen, the Chief Justice and 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 Michael Smyth, plaintiff & Richard S. Frisby defendant and wherein the said County Court gave Judgment for the said Michael Smyth 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 Sct. 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 the said County of Kent on the third Monday of March being the twentieth day of the same month, in the year of our Lord One thousand eight hundred & fifteen, and in the thirty nineth year of the Independence of the United States of America

Were Present, The Hon.ble Richard Tilghman Earle, Esquire Chief Judge, Samuel Purnell & Thomas Worrell Esquires associate Judges

Edward Brown Esquire Sheriff and Ben Chambers Clk

Amongst the Records & proceedings of the said Court are the following to wit.

Michael Smyth, use of Philip Wallis v. Richard S. Frisby

Be it remembered that heretofore to wit, on the eighth day of December in the year of our Lord One thousand eight hundred & fourteen, the said Michael Smith by James C. Barrott his attorney prosecuted and 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 and of the Form following to wit. Kent County, to wit. 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 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 Michael Smith in a plea that he render unto him the sum of sixty pounds current money, which to him he owes and unjustly detains and so forth. Witness you 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 Eighteen hundred and fourteen. Issued this 8th day of December 1814.

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 & fifteen and the day of the return of the aforegoing writ, comes into the County Court here the said Michael Smith by his Attorney aforesaid and the Sheriff of Kent County aforesaid, to wit, Edward