on the plea afs.d given was given for the said John Gibson against the said Susan Seth, Executrix as aforesaid when by the law of the Land that Judgment ought to have been given for the said Susan Seth, Executrix as afs.d against the said John Gibson, therefore in that there is manifest error &c. she prays that the Judgment afs.d for that error and others being in the Record and proceedings afs.d may be reversed annulled & held entirely as void, and that the said Susan Seth may be restored to all that she hath lost by occasion of the said Judgment, and that the said John Gibson may reply to the errors afs.d &c. And the said John Gibson by his Attorney aforesaid says there is no error in the record and proceedings afs.d or in the rendition of the Judgment afs.d & he prays leave 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 Susan Seth, above for errors assigned and that the said Judgment may be in all things affirmed &c. Whereupon it is ordered 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 Susan Seth as on the part of the said John Gibson before the Judges of the Court here &c. Thereupon further process of and upon the premises afs.d between the parties afs.d by consent of the said parties and their Attorneys afs.d & 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 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, come again into the Court of Appeals the parties afs.d by their Attorneys afs.d Whereupon as well the Record & proceedings aforesaid and the Judgment given in form afs.d as the matters afs.d by the said Susan Seth above for errors assigned being seen and fully understood by the Court here & mature deliberation being thereupon had for it appears to the Court here that there is no error either in the Record & proceedings afs.d or in the rendition of the Judgment afs.d Therefore it is considered by the Court here that the Judgment afs.d given in form afs.d be in all things affirmed and stand in full force & effect the said causes for error above assigned & alledged in any wise notwithstanding — and it is further considered by the Court here that the said John Gibson have execution against the said Susan Seth, Executrix as afs.d as well for the debt, damages, costs & charges afs.d as adjudged unto him in the said County Court of Talbot, as also the sum of Twelve Dollars eleven and two thirds cents, for his damages costs & charges which he hath sustained ~~incurred~~ by occasion of the delay of the Execution of the Judgment afs.d by pretence of the prosecution of the said appeal by him the said Susan Seth of Law upon the premises as afs.d prosecuted.

Memorandum: Judgment affirmed the 3d. day of June 1817. Stay of Execution till the 1st day of March next.

Test — James Parrott Clk.

Louis Gassaway against Edward McDaniel

Be it remembered that on the last Monday of November Eighteen hundred and sixteen, the Chief Justice and associate Justices of Talbot County Court in pursuance of the act of Assembly in such case made and 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 Louis Gassaway, plaintiff, and Edward McDaniel, defendant, and wherein the said County Court gave Judgment for the said Louis Gassaway against the said Edward McDaniel & from which said Judgment the said Edward McDaniel prayed an Appeal to the Court of Appeals here, the tenor of which said record and proceedings is in form following, to wit.

The State of Maryland Talbot County, to wit, At a County Court of the State of Maryland begun and held for Talbot County, at Easton in said County, on the second Monday of November being the eleventh day of the same month, in the year of our Lord eighteen hundred & sixteen, before the Honorable the Judges of the said County Court & other Officers duly commissioned and qualified to hold the same Court, Of whom some present

The Honorable Richard T. Earle, Esquire Chief Judge
Lemuel Maxwell & Thomas Worrell Esquires associate Judges

James Clayland, Esquire Sheriff. Jacob Loockerman Clk.

In the Record of proceedings of the same County Court, were the following to wit.

Louis Gassaway v. Edward McDaniel

Be it remembered that heretofore, to wit, on the fourteenth day of September in the year Eighteen hundred and fifteen, Louis Gassaway the plaintiff in this cause by John Leeds Kerr Esquire his Attorney, prosecuted and prosecuteth out of the County Court here, the writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Talbot County, in form following, to wit.

Talbot County, to wit. The State of Maryland to the Sheriff of Talbot County, Greeting (Seal) We Command you that you take Edward McDaniel late of Talbot County, yeoman if he shall be found in your Bailiwick and him safe keep, so that you have his body before the Judges of our County Court, to be held at Easton in the said County on the second Monday of November next, to answer unto Louis Gassaway in a plea that he render unto him the sum of Nine thousand and eighty three Dollars current money which to him he owes and from him unjustly detains &c. Hereof fail not at your peril and have you then and there this Writ. Witness the Honorable Richard Tilghman Earle Esquire Chief Judge of our said Court the 22d day of May Anno Dominii 1815. Issued the 14th day of September 1815. Test. J. Loockerman Clk.

At which said second Monday of November, in the year Eighteen hundred and fifteen, being the return day of the foregoing Writ comes into Court here the said Louis Gassaway by his Attorney afs.d & the Sheriff of the County afs.d to him the said Writ was in form afs.d directed making return thereof to Court here thereon endorsed, to wit. Capi Thomas Stevens Shff.

And the said Edward McDaniel being called appears in Court here by Nicholas Hammond Esquire his Attorney; thereupon on motion of the said Gassaway by his said Attorney it is ordered by the Court here that the said McDaniel give special bail in the plea afs.d Whereupon a certain Richard Denny of Talbot County, yeoman, comes into Court here in his own proper person, and with the Consent of the said Gassaway by his said Attorney, becomes pledge & bail for the said McDaniel, that if it shall happen that the said McDaniel shall be convicted at the suit of the said Gassaway in the plea afs.d then the said Denny consents, that as well the debt afs.d as all such damages costs and charges as shall be adjudged unto the said Gassaway in this behalf shall be made of his body Lands and chattels and levied to the use of the said Gassaway, in case the said McDaniel shall not pay the said debt, damages costs & charges or render himself to the prison & custody of the Sheriff of the County afs.d on that occasion. Whereupon the said Gassaway by his said Attorney prays leave of the Court here to imparle unto the fourth Monday of May next and hath it, the same day is given to the said McDaniel then &c. At which said fourth Monday of May next, to wit, in the year Eighteen hundred and fifteen, come again into Court here the parties afs.d by their Attorneys afs.d Thereupon on motion of the said McDaniel by his said Attorney it is ordered by the Court here that the said Gassaway declare against him the said McDaniel in the plea afs.d otherwise Judgment by the said Court will be rendered against him in default thereof, and the said Gassaway by his said Attorney prays leave of the Court here to imparle, until the second Monday of November next to declare against the said McDaniel in the plea afs.d, and he hath it the same day is given to the said McDaniel then &c. At which said second Monday of November next, to wit, in the year Eighteen hundred and sixteen, come again into Court here the parties afs.d by their Attorneys afs.d and the said Gassaway by his said Attorney, declares against the said McDaniel in the plea afs.d as follows, to wit. Talbot County to wit, Edward McDaniel late of Talbot County, Yeoman was summoned to answer unto Louis Gassaway in a plea that he render unto him the sum of Nine thousand and eighty three Dollars current money which to him he owes & from him unjustly detains and hereof he the said Louis by John Leeds Kerr his Attorney complains that whereas the said Edward McDaniel on the twelfth day of October in the year of our Lord Eighteen hundred and thirteen at Talbot County afs.d by his certain Bill obligatory acknowledged himself to be held and firmly bound unto him the said Louis in the said sum of Nine thousand and eighty three Dollars current money to be paid to him the said Louis