expended, adjudged unto the same William Biles by the Court here with his assent, and the said Benjamin Benny in mercy &c.

Memorandum. Judgment was confessed in this action on the eighth day of June in the year of our Lord Eighteen hundred and twenty four, for six hundred and twenty four dollars and seventy one and an half cents debt, with interest to be taxed thereon from the seventeenth day of April 1823 till paid and costs, with an Agreement that Execution should be stayed until November Term next. And thereupon at the November Term of the said Court in the year of our Lord Eighteen hundred and twenty four, the said Benjamin Benny by his Attorney aforesaid, prayed that he might appeal from the Judgment aforesaid of the Court here, so as aforesaid rendered to the high Court of Appeals, and to him the same is granted by the Court here; whereupon the said Benjamin Benny exhibited to the Court here an appeal Bond entered into by himself and two sureties which by the Court here are approved of, the tenor whereof ensueth in the following words to wit. Know all men by these presents that we Benjamin Benny, George W. Nabb and William Ferguson, of Talbot County in the State of Maryland are held and firmly bound unto William Biles of Queen Anns County in the State of Maryland aforesaid, in the full and just sum of twelve hundred & forty nine dollars and forty two cents current money of Maryland, to be paid to the said William Biles or to his certain Attorney 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 &c. dated this fifteenth day of November in the year of our Lord Eighteen hundred & twenty four

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 twenty four, the said William Biles obtained a judgment against the said Benjamin Benny as well for the sum of six hundred & twenty four dollars and seventy one cents and two thirds of a cent current money of Maryland a certain debt, interest to be taxed thereon from seventeenth day of April in the year of our Lord Eighteen hundred and twenty three, till paid, as for the sum of four dollars and sixty eight cents costs of suit, by which said judgment the said Benjamin Benny deems himself aggrieved, and therefrom 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 Benjamin appellant, shall not impeach 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 sitting before whom the appeal ought to be tried, and prosecute the same appeal with effect, and also satisfy & pay to the said William Biles his executors, administrators or assigns, in case the said judgment shall be affirmed, as well all and singular the debt and interest and 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.

Benj.a Benny (Seal)
Geo. W. Nabb (Seal)
William Ferguson (Seal)

Signed, Sealed & delivered, in the presence of us. Henry Thomas Ray

Thereupon it is ordered by the Court here, that a peace of the proceedings

aforesaid with all things thereunto relating be transmitted to the high Court of Appeals of the State of Maryland, to be holden for the Eastern Shore of the said State, and they are transmitted accordingly.

State of Maryland Talbot County to wit. I hereby certify that the aforegoing is a true copy taken from the record of proceedings of the County Court of Talbot County.

In Testimony whereof I have hereto subscribed my name and the seal of my office affixed this 29th day of November 1824. Jacob Loockerman Clk. Talbot County Court.

And now come into the Court of Appeals here as well the said William Biles by John Goldsborough Esquire his Attorney, as the said Benjamin Benny by George W. Nabb Esquire his Attorney, and the said Benjamin Benny by his attorney aforesaid, says, that in the record of 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 William Biles against the said Benjamin Benny when by the law of the land that Judgment ought to have been given for the said Benjamin Benny against the said William Biles, therefore in that there is manifest error, and he prays that the judgment aforesaid for that error and others being in the record of proceedings aforesaid, may be reversed annulled and held entirely as void, and that he the said Benjamin Benny may be restored to all things which he hath lost by occasion of the said judgment, and that the said William Biles may rejoin to the errors aforesaid &c. And the said William Biles by his attorney aforesaid, says, there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and he prays that the Court of Appeals here will proceed to the examination, as well of the record of proceedings aforesaid, as of the matters assigned by the said Benjamin Benny above for error assigned, and that the said Judgment may be in all things affirmed &c; whereupon it is ruled by the Court here, that the matter in controversy between the parties aforesaid, be argued and fully discussed before the Court of Appeals here &c; thereupon further process of and upon the premises, between the parties aforesaid, is by virtue of an act of Assembly in such case made and provided continued before the Court of Appeals here until the first Monday in June next. And now at this day to wit, the first Monday in June, being the first day of the said month, in the year of our Lord one thousand eight hundred and twenty five, come again into the Court of Appeals here the parties aforesaid by their Attornies aforesaid, whereupon as well the record of proceedings aforesaid and the judgment given in form aforesaid, as the matters aforesaid by the said Benjamin Benny above for error assigned being seen and by the Court of Appeals here fully understood, and mature deliberation thereupon had, for that it appears to the Court of Appeals here, that there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid; therefore it is considered by the Court of appeals here, that the judgment aforesaid given in form aforesaid, be in all things affirmed, and stand in full force & effect, the said causes for error above assigned and alleged in any wise notwithstanding; and it is further considered by the Court of appeals here, that the said William Biles have execution against the said Benjamin Benny, as well for the debt damages costs and charges aforesaid, adjudged unto him in the said County Court of Talbot, as also for the sum of nine dollars thirty one cents and two thirds of a cent, adjudged unto the said William Biles by the Court of appeals