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until the second Monday in September then next - At which said second Monday in September to wit, in the year last aforesaid comes into Court here the said Defendant by his attorney aforesaid, and the said plaintiff doth not come - And the said defendant by his attorneys aforesaid suggests to the Court here that under the last continuance of the plea aforesaid &c and before this day to wit, at the County aforesaid the said plaintiff in this cause departed this life intestate and the same is not denied and thereupon a certain Jane Thomas administratrix de bonis non with the Will annexed of the said Henry Peters appears in Court here by John Glenn and William B. Perine, Esquires her attorneys. Whereupon the said Jane Thomas administratrix de bonis non as aforesaid by her said attorneys offers herself against the said Defendant according to the act of Assembly in such case made and provided to prosecute of and upon the premises in the plea aforesaid &c and whom is admitted as the plaintiff to prosecute &c.

Whereupon all and singular the premises being seen and by the Court here understood and mature deliberation being thereupon had it is considered by the Court here, that the said plaintiff administratrix de bonis non as aforesaid is entitled to recover in the aforesaid upon the aforesaid statement of facts - and they find due to the said plaintiff administratrix de bonis non by reason of the breaches of the covenants aforesaid the sum of two hundred and thirty two dollars and two cents current money with interest from first day of March eighteen hundred and forty nine -

Wherefore it is considered by the Court here that the said plaintiff administratrix de bonis non as aforesaid recover against the said defendant as well the sum of Eight hundred dollars current money her damages aforesaid in the declaration aforesaid mentioned to be sustained by reason of the breach of the covenants aforesaid as the sum of forty eight dollars thirty seven and one third cents by the Court here into the said plaintiff on his assent adjudged for her costs and charges by her about her suit in this behalf laid out and expended and the said Defendant in mercy &c.

Memorandum - Judgment was entered in this cause for plaintiff on case stated for eight hundred dollars damages in nar and costs - To be released on payment of two hundred and thirty two dollars and two cents with interest from first of March eighteen hundred and forty nine and costs -

Test, A. W. Bradford, Clk.

And thereupon the said Defendant by his attorney aforesaid prayed an appeal from the Judgment aforesaid so as aforesaid rendered to the next Court of Appeals to be holden for the Western Shore of the State of Maryland and to him it is granted Whereupon the said defendant by his attorney aforesaid filed in said cause an appeal Bond as follows to wit.

Know all men by these presents that we Frederick E. B. Hintze Robert Purviance Jr. (Seal) and John Morris are held and firmly bound unto Jane Thomas administratrix de bonis non with the Will annexed of Henry Peters in the just and full sum of 800 dollars to be paid to the said Jane Thomas administratrix as aforesaid her certain attorney executors administrators and 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 and dated this 30th day of October in the year of our Lord one thousand eight hundred and fifty one - Whereas the said Jane Thomas administratrix as aforesaid did obtain certain Judgment against the said Frederick E. B. Hintze assignee of Peter H. Blumb in Baltimore County Court, at September Term in the year of our Lord one thousand eight hundred and fifty one for the sum of eight hundred dollars damages in nar and costs to be released on payment of $232.02 with interest from 1st. March 1849 and costs

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from which Judgment the said Frederick E. B. Hintze has prayed an appeal to the next Court of Appeals to be held for the Western Shore of the State of Maryland. Now the condition of the above obligation is such that if the said Frederick E. B. Hintze shall not cause a transcript of the Record of proceedings of the said Judgment to be transmitted to the Court of Appeals to be holden for the Western Shore within the time required by Law - And prosecute the said appeal with effect - And also satisfy and pay to the said Jane Thomas Adm^x as aforesaid her executors administrators & assigns in case the said Judgment shall be affirmed as well the damages costs and charges adjudged in the County Court aforesaid as also all damages and costs that may be awarded by the Court of Appeals aforesaid then the said Bond to be and remain in full force and virtue otherwise of no effect -

Signed sealed and delivered in the presence of Jos. I. Stewart Jr.
R. H. Goldsmith

F. E. B. Hintze (Seal)
Robt. Purviance Jr. (Seal)
John Morris (Seal)

On the back whereof are the following Endorsements to wit: I believe the within Bond sufficient -
A. W. Bradford, Clk.

Bond appr^d. John G. LeGrand

It is thereupon ordered by the Court here that a transcript of the Record and proceedings in the plea aforesaid with all things thereto relating be transmitted to the said Court of Appeals and the same are hereby transmitted accordingly

And afterwards to wit, on the twenty first day of December in the year last aforesaid the parties aforesaid by their attorneys aforesaid filed in said cause the following agreement to wit:

Nancy Thomas,
vs.
Frederick F. B. Hintze

In Baltimore County Court Appeal f^d - It is agreed by the parties to the above cause that the several deeds mentioned - and called for in the statement of facts in this case may be read from the originals a copied - at the Trial in the Court of Appeals - And the said deeds shall not be set forth at large in the Record sent up to said Court -

Wm. B. Perine, for Pltff.
T. Yates Walsh, for defendant -

In Testimony that the aforegoing is a full and true transcript taken from the Record of proceedings of Baltimore County Court in the cause therein mentioned I hereto set my hand and affix the seal of said Court this twenty fourth day of December eighteen hundred and fifty one -

(Seal)

A. W. Bradford Clk. of Balt^e County Court -

And now come into the Court of Appeals here, as well the said Frederick E. B. Hintze assignee of Peter H. Blumb by David Stewart and T. Y. Walsh, Esquires their attorneys as the said Jane Thomas administratrix de bonis non of Henry Peters assignee of Margaret Moore by William B. Perine and John Glenn, Esquires their attorneys, and thereupon, on motion of the said Jane Thomas administratrix de bonis non of Henry Peters assignee of Margaret Moore by their attorneys aforesaid, it is ruled by the Court here, that the said Frederick E. B. Hintze assignee of Peter H. Blumb assign the errors in the record of proceedings aforesaid, or in the giving the judgment aforesaid, so as aforesaid brought before the Court of Appeals here, for correcting the errors supposed to be therein, or judgment by the Court of Appeals here, will be entered against them in default thereof; and the said Frederick E. B. Hintze assignee of Peter H. Blumb by their attorneys 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 Jane Thomas administratrix de