knowledge and belief and that the sale therein reported was faily made
Sworn before Elijah W Day

Whereupon it was ordered by the Court that the sale made and reported by Frederick Stone Trustee for the sale of certain real Estate in the proceedings mentioned be ratified and confirmed unless cause to the contrary be shewn on or before the third Monday in February next provided a copy of this order be inserted in the Port Tobacco Times newspaper published at Port Tobacco once in each of three successive weeks before the third monday of February next.

The report states the amount of sales to be $731.00.

And afterwards towit: on the 25th day of January in the year of our Lord eighteen hundred and forty eight, the said Josias Clements one of the said respondents by virtue and in pursuance of the provisions of the act of Assembly in such case made and provided applies to and directs the Clerk of Charles County Court as a Court of Equity aforesaid to enter an appeal from the decree aforesaid so as aforesaid rendered, to the Court of Appeals to be held for the Western shore of the said State of Maryland which is accordingly done Whereupon the said Josias Clements files in the office of the said Clerk of said Court a certain writing obligatory commonly called an appeal Bond which is in the words & of the tenor following towit: "Know all men by these presents that we Josias Clements Bennett T Clements, Michael Ferrall and B L Guynn of Charles County and State of Maryland are held and firmly bound unto Elizabeth Ford and Richard Gardiner or their certain attorney Executors or administrators in the full and just sum of fifteen hundred Dollars current money, to the which payment well and truly to be made and done we bind ourselves our and every of our heirs Executors & administrators jointly and severally firmly by these presents sealed with our seals and dated this 30th day of January in the year of our Lord Eighteen hundred and forty eight, whereas by a decree of Charles County Court sitting as a Court of Equity passed in a cause therein between the said Elizabeth Ford and Richard Gardiner Complainants and the said Josias Clements, Sylvester T Gardiner and Mary E his wife Defendants passed the twenty ninth day of July 1847 it was ordered adjudged & decreed that the said Josias Clements pay to the said complainants on or before the twentieth day of August next ensuing the date of said decree the sum of three hundred Dollars with interest from the twenty second day of December Eighteen hundred and & forty & costs and in default thereof it was ordered adjudged and decreed that certain real Estate in the proceedings mentioned be sold and that Frederick Stone Esquire be appointed trustee to make sale of the same and who is thereby authorised to make a good and valid Deed to the purchaser or purchasers thereof; and Whereas said Josias Clements is about to appeal from said Decree to the next Court of Appeals for the Western Shore of Maryland Now the condition of the above obligation is such that if the above bound Josias Clements shall not cause a transcript of the record & proceedings of the said decree to be transmitted to the said Court of Appeals to be holden for the Western Shore within the time required by Law & prosecute the same with effect, and also satisfy and pay unto the said Elizabeth

Ford and Richard Gardiner their Executors administrators or assigns in case the said decree shall be affirmed as well all and singular the Damages & costs decreed by the said County Court as a Court of Equity to be paid by the said Josias Clements as also all costs and charges & Damages that shall be awarded by the said Court of Appeals then this bond to be void and remain in full force and virtue otherwise of no effect

Signed sealed & delivered in the presence of Witness Wm Guy

Josias Clements (Seal)
Bennett T Clements (Seal)
Michael his mark Ferrall (Seal)
B L Guynn (Seal)

At the for of the above Bond was thus written towit:
Securities approved this 25th day of January 1848
W Mitchell Clk.

In pursuance whereof and according to the form and effect of the act of Assembly in such case made and provided, the record and proceedings aforesaid with all things thereunto relating are transmitted to the said high Court of Appeals of the said State of Maryland accordingly.

State of Maryland Charles County Set

In Testimony that the aforegoing is truly copied from the record of proceedings of Charles County Court I have hereunto subscribed my name and affixed the seal of said Court this twenty ninth day of April in the year of our Lord one thousand eight hundred and forty eight

(Seal)

Walter Mitchell Clerk
Charles County Court

And now come into the Court of Appeals here as well the said Josias Clements in his proper person as the said Elizabeth Ford Admx of William P Ford & Richard Gardiner by William B Stone Cornelius McLean and John M Causin their attorneys; and thereupon, on motion of the said Elizabeth Ford administratrix as aforesaid & Richard Gardiner by their attorneys aforesaid, it is ruled by the Court here, that the said Josias Clements 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 him in default thereof: and said Josias Clements in his proper person aforesaid says, that in the record of proceedings aforesaid, and also in the giving of Decree aforesaid, there is manifest error in this, towit, that by the record aforesaid, it appears that the Decree aforesaid in the cause aforesaid given, was given for the said Elizabeth Ford Admx as aforesaid & Richard Gardiner against the said Josias Clements when by the law of the land that Decree ought to have been given for the said Josias Clements against the said Elizabeth Ford Administratrix as aforesaid & Richard Gardiner therefore in that there is manifest error, and he prays that the Decree 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 Josias Clements may be restored to all things which he hath lost by occasion of the said Decree and that the said Elizabeth Ford Admx as aforesaid and