if the above bound Thomas Ringgold shall not pursue the directions of the 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 of Appeals and prosecute the same with effect and also satisfy and pay unto the said John Miller his Executors Administrators or Assigns in case the said Judgment shall be affirmed as well all and singular the debt damages and Costs adjudged by the General Court aforesaid as also all costs and damages that shall be awarded by the Court of Appeals aforesaid then this obligation to be and remain in full force and virtue otherwise of no effect.

Which being read and heard the said Samuel Ringgold saith that the aforesaid John Miller his action aforesaid thereof against him the said Samuel Ringgold to have or maintain ought not, because he says that the said Thomas Ringgold in the Condition of the said writing obligatory mentioned from the time of making the said writing obligatory hath well and truly observed performed fulfilled and kept all and singular the matters and things in the Condition of the said writing obligatory mentioned and contained which the said Thomas Ringgold according to the Condition aforesaid ought to have observed performed fulfilled and kept to wit, at the County aforesaid, and this he the said Samuel Ringgold is ready to verify; wherefore he prays Judgment if the aforesaid John Miller his action aforesaid thereof against him to have or maintain ought and so forth.

And the said John by his Attorney aforesaid saith that he by anything in the plea of the said Samuel alledged ought not to be precluded from having and maintaining his action aforesaid against him the said Samuel because protesting that the said Thomas in the Condition of the said writing obligatory mentioned from the time of making the said writing obligatory hath not well and truly observed performed fulfilled and kept all and singular the matters and things in the Condition of the said writing obligatory mentioned which he according to the Condition thereof ought to have observed performed fulfilled and kept to wit at Washington County

County aforesaid as the said Samuel in his said plea hath above alledged for plea Nevertheless the said John by replying saith that after the making the writing obligatory aforesaid and before the impetration of the writ original of him the said John in this Cause impetrated it was on the Judgment of the General Court and writ of error aforesaid in the said writing obligatory mentioned in such manner proceeded between the said Thomas and the said John in the Court of Appeals that the said Judgment of the General Court was at a Court of Appeals held at the City of Annapolis on the second Tuesday of June in the year one thousand eight hundred by the said Court of Appeals in all things Affirmed and ratified and it was then and there by the said Court of Appeals further considered and adjudged that the said John might have execution against the said Thomas for the debt damages Costs and Charges so as aforesaid adjudged in the General Court and it was adjudged and considered by the said Court of Appeals that the said John should recover against the said Thomas the sum of one thousand and ninety six pounds of Tobacco for his Costs and damages in that behalf laid out expended and sustained by reason of the delay of his execution by pretence of the prosecuting of the said writ for the Correcting of Errors of and upon the said premises by the said Thomas as by the record thereof in the said Court of appeals remaining more fully appears And the said John avers that the said Thomas did not prosecute the said writ of error with effect and that the said Thomas hath not paid or satisfied to him the said John the said Judgment obtained by him in the said General Court and the sum of one thousand and ninety six pounds of Tobacco adjudged to him the said John by the said John by the said Court of Appeals upon the affirmance of the said Judgment or either or any part thereof except the sum of

in part of Interest due on the Judgment in the General Court as aforesaid and this the said John is ready to verify and so forth, wherefore he prays Judgment and his debt aforesaid together with his damages sustained by occasion of the detention thereof to him to be adjudged and soforth.

And the said Samuel Ringgold comes and as to the replication of the aforesaid John Miller to the plea of him the said Samuel Ringgold