

and also in the giving of judgment aforesaid there is manifest error in the said, that by the record aforesaid it appears that the judgment aforesaid with the aforesaid given was given for the said Henry Shumley and her Children, against the said George Wallis and by the law of this State that judgment ought to have been given for the said George Wallis against the said Henry Shumley and her Children, therefore in that there is manifest error and he prays that the Judgment aforesaid for that error and others being in the record and proceedings aforesaid may be revoked annulled and hold entirely as void, and that the said George Wallis may be restored to all that he has lost by occasion of the said Judgment; and that the said Henry Shumley and her Children may join to the errors aforesaid &c

And the said Henry Shumley and her Children by their Attorney aforesaid say there is no error in the record and proceedings aforesaid or in the rendition of the Judgment aforesaid. He prays likewise that the Court here may proceed to the examination as well of the record & proceedings aforesaid as of the matters aforesaid by the said George Wallis above for errors aforesaid and that the said Judgment may be in all things affirmed &c Whereupon it is ruled 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 George Wallis as on the part of the said Henry Shumley & her Children for the purpose of the Court here &c Thereupon further process of Writs & process aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid and by order of the Court here there is continued until the last Monday of September next.

At which day, to wit, the last Monday of September eight hundred and sixteen, and again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid thereupon further process of writs and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid by order of the Court here there is further continued until the last Monday of May next.

AND NOW HERE AT THIS DAY, to wit, the first Monday of June eight hundred & seventeen being the day to which the Court of Appeals here by order of an Act of the General Assembly in such cases made and provided was changed continued and adjourned, and again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid thereupon as well the record and proceedings aforesaid, and the Judgment given in form aforesaid as the matters aforesaid by the said George Wallis above for errors aforesaid, being read and fully understood by the Court here and matters deliberated, had thereupon for that it appears to the Court here that in the record and proceedings of the rendition of the Judgment aforesaid as to the opinion and direction of the said County Court as stated in the first bill of exception it is manifestly error, therefore it is considered by the Court here that the Judgment aforesaid in form aforesaid given as stated in the said first bill of exception be revoked annulled & held entirely as void, and that the said George Wallis be restored to all things which by reason of the Judgment aforesaid he hath lost, and because it also appears to the Court here that there is no error in the record & proceedings of the rendition of the Judgment aforesaid as to the refusal of the said County Court to permit the return to be given to the Jury as stated in the said bill of exception; Therefore the Court here that the Judgment aforesaid in form aforesaid given by the said County Court as stated in the said second bill of exception, be in all things affirmed and stand in full force and effect, the said causes for errors above specified & alleged in any wise notwithstanding, and thereupon the Court here pursuant to the direction of the Act of Assembly in such cases made and provided order & direct a remission of the record and proceedings aforesaid to the Clerk of the said County Court of Queen Anne's with the writ of the State of Maryland of process to the said County Court directing them to proceed in the action aforesaid &c a new trial thereof in the same manner as if no trial had taken place or (any appeal had been prosecuted) - Writ James Parrott Clerk

against the Associate Justices of Baltimore County, in the said William Jordan Esq. of a private in such cases made and provided to the Court of Appeals here the record and proceedings of a plea which was lately before them in the said County Court between Patrick McKeel plaintiff and William Jordan defendant in the said County Court gave judgment for the said Patrick McKeel the said William Jordan, and from which said Judgment the said William Jordan appealed to the Court of Appeals here the time of which said record & proceedings is in the State of Maryland at a County Court here can be had at Eastern in and for the Baltimore County, to wit & State aforesaid on the fourth Monday of May, being the twenty second day of the month in the year of our Lord eight hundred and sixteen, before the Honorable Justices of the said County Court & other Officers duly commissioned & qualified to hold the same Court were present. The Honorable Richard Wigham Esq. Chief Justice, James Parrott Esq. Associate Justice, James Claydon Esq. Sheriff.

On the record of proceedings of the said County Court, among others, were the following to wit: Patrick McKeel, one of the parties, do hereby certify that on the first day of May in the year eight hundred and sixteen, the Plaintiff in this cause, William Jordan, Esq. of the County Court here the writ of the State of Maryland & Capias ad res pendendum, directed to the Sheriff of Baltimore County, in form following to wit: Called County, to wit, the State of Maryland, to the Sheriff of Baltimore County, Greeting: That you take William Jordan, late of Baltimore County, prisoner if he shall be found within and within safe keep, so that you have his body before the Judges of our Court to be held at Eastern, in the said County, on the fourth Monday of May next, to answer an appeal in a plea that he prays in to him the sum of twenty five pounds eight shillings and six pence current money of Maryland which note him the over and from him unjustly detained of said note at your suit and hand you show and show this writ. Witness the Honorable Richard Wigham Esq. Chief Justice, James Parrott Esq. Associate Justice, James Parrott Esq. Sheriff, the 11th day of September 1716. I gave the 1st day of April 1716. W.D. Louchman Clerk -

At which said fourth Monday of May, next to wit in the year eight hundred and sixteen being the first day of the foregoing writ, comes into Court here the said Patrick McKeel by his Attorney and the Sheriff of the County aforesaid to whom the said writ was aforesaid directed makes petition to Court here for return of said writ. Copy Thomas Stevens, Esq.

And the said William Jordan being called comes into Court here by William Hayward Esq. his Attorney, thereupon in motion of the said McKeel, by his said Attorney it is ruled by the Court here that the said William Jordan give bail, to wit in the said appeal. Whereupon a return of the said County Court comes into Court here in proper form and with the copy of the said writ by his Attorney aforesaid becomes return and bail for the said Jordan, in the return of the said County Court. Whereupon the said McKeel by his said Attorney, prays leave of the Court to inspect, until the first Monday of September next, and he hath it the said day is given to the said Jordan the said - at which said first Monday of September next, to wit the year eight hundred and sixteen, comes again into Court here the parties aforesaid by their Attorneys aforesaid and the said McKeel by his said Attorney, declares against the said Jordan in the plea aforesaid as follows to wit: Baltimore County, to wit, William Jordan late of Baltimore County, do hereby certify that on the first day of May in the year eight hundred and sixteen, the Plaintiff in this cause, William Jordan, Esq. of the County Court here the writ of the State of Maryland & Capias ad res pendendum, directed to the Sheriff of Baltimore County, in form following to wit: Called County, to wit, the State of Maryland, to the Sheriff of Baltimore County, Greeting: That you take William Jordan, late of Baltimore County, prisoner if he shall be found within and within safe keep, so that you have his body before the Judges of our Court to be held at Eastern, in the said County, on the fourth Monday of May next, to answer an appeal in a plea that he prays in to him the sum of twenty five pounds eight shillings and six pence current money of Maryland which note him the over and from him unjustly detained of said note at your suit and hand you show and show this writ. Witness the Honorable Richard Wigham Esq. Chief Justice, James Parrott Esq. Associate Justice, James Parrott Esq. Sheriff, the 11th day of September 1716. I gave the 1st day of April 1716. W.D. Louchman Clerk -