

mation, they were far from having means to meet, or support their responsibility as such sureties. Upon which the petitioners prayed, that they might be allowed to shew cause, and to take testimony in relation to the sufficiency of the sureties offered.

BLAND, C., 9th November, 1824.—Ordered, that the matter of this petition be heard during the second week of the ensuing December Term: And, that proofs be taken, as to the sufficiency of the sureties offered, before any justice of the peace, by either party, on giving reasonable notice of the time and place of taking the same to the opposite party, or their solicitor. And it is further ordered, that the issuing of execution on the final decree in this case be stayed until the hearing of the matter of this petition or further order.

Under this order proofs were taken on the part of the defendant, Samuel Ringgold, which, together with the deed of trust from him to Swearingen and Samuel Ringgold, Junr., and the inventory of the property conveyed by it, were returned and filed.

BLAND, C., 30th December, 1824.—The amount decreed to be paid having given to this matter a more than usual degree of importance; and the prayer of the petition calling for an expression * of the Court's opinion as to the nature and extent of the citizen's right of appeal, I therefore deemed it proper to appoint a day for hearing, so as to allow an interval within which the parties might be permitted to take testimony in support of their allegations, and so as to give time to look into the practice of the Court in relation to appeals, for the purpose of having the subject carefully reviewed and maturely considered. 7

It has always been regarded here, as well as in England, as a constitutional right of every citizen to have his case reviewed, in one form or other, by a Court of error. *Christie v. Richardson*, 3 T. R. 78. Under the Provincial Government, this right of the citizen to have a revision of a judgment, in any civil case, affecting his interests, was extended, in many instances, beyond the Court of the last resort, in the Province, to the king in council. 1773, ch. 7, sec. 5. In reference to which extended right of appeal, the Constitution of the Republic has emphatically declared, "that there be a Court of Appeals, composed of persons of integrity and sound judgment in the law, whose judgment shall be final and conclusive in all cases." Const. Art. 56. So as thereby, in the most distinct and positive terms, to exclude and prevent the further prosecution of appellate proceedings, in any case, from that ultimate tribunal of the Republic, as had been before allowed under the government of the Province. *Hammond v. Ridgely*, 5 H. & J. 268.