of money if he was not Disappointed would pay him — This Deponent further saith that on or about the 17th. of June 1789 he applied to Edward Reynolds of Calvert County for payment due for his Superscription to the said College that the said Reynolds informed this Deponant that he had requested Colo. Wilkinson to pay it for him that this Deponant applied to Colo. Wilkinson he answered that he had told Mr. Reynolds he would endeavour to procure the money. if he could not would get him to hire it paid on words to that Effect and the Deponant further saith not.

Sworn to the 18th. day of April 1794 at the House of Archibald Golder in Annapolis before Allen Quynn.

Anne Arundel County ss. I hereby Certify that Allen Quynn before whom the aforegoing Deposition was made was at the time of making the same and still is a Justice of the Peace in and for the County aforesaid and to all Certificates by him given as such due faith and Credit is and ought to be given as well in Courts of Justice as thereout.

(L S) In Testimony whereof I have hereunto set my hand and affixed the Seal of Office this 18th. day of April in the year 1794. Nich. Harwood Clk.

And the Council for the Defendant prayed the opinion of the Court and their Instructions to the Jury that the Draft of the Act of Assembly superscription and signatures aforesaid and Deposition aforesaid were not Legal Evidence in the Trial of the Issue in this Cause Joined but the Court was of opinion and so Directed the Jury that the said Draft of a proposed Act of Assembly superscription and signature aforesaid and Deposition aforesaid as far as the same related to this Defendant Except the Conversation of the Defendant with Colo. Wilkinson are Legal Evidence in this cause and admitted the same to be and the same were read in Evidence and Directed the Jury that if they found that Edward Reynolds subsequent to the appointment of the Visitors and Governors of Saint Johns College did admit that he owed the sum subscribed or any part thereof by him in the superscription aforesaid that the said admission together with the aforesaid Draft of the Act of Assembly superscription and signature aforesaid are good Evidence to charge the Defendant in this Cause But if

(they)

they do not find that the Defendant did subsequent to the signature aforesaid and subsequent to the appointment of the Governors and Visitors of Saint Johns College admit that the money so subscribed or any part thereof was due by him to the Governors and Visitors of Saint Johns College then the subscription and signature aforesaid is not sufficient to charge the Defendant

To this Opinion and Direction the Council for the Defendant prayed leave to Except and the Court here to sign and seal this his bill of Exception which is according done this 25th. day of April Anno Domini 1794 M J Stone (Seal)

Joseph Wilkinson Esquire did not set Judicially in this Cause

M. J. Stone

And the said Edward Reynolds by John M Gantt his attorney comes into Court here and prays an appeal from the Judgment of this Court upon the verdict of the Jurors aforesaid to the Honourable the General Court for the Western Shore of the State of Maryland which was granted on his giving Bond with sufficient security according to Law. And the said Edward Reynolds by his attorney aforesaid Produces to the Court the following bond Viz.

Maryland to wit Know all men by these Presents that we Joseph Wilkinson and Thomas Gray of Calvert County and State aforesaid are held and firmly bound unto the Visitors and Governors of Saint Johns College in the State of Maryland in the Just and full sum of one Hundred and Twenty nine pounds Current money and the Quantity of Eighteen Hundred pounds of Tobacco to be paid to the said The Visitors and Governors of Saint Johns College in the State of Maryland or to their certain Attorney Executors administrators or Assigns to which payment well and truly to be made and done we bind ourselves and each of us our and each of our Heirs Executors and administrators firmly by these presents sealed with our Seals and dated this twenty sixth day of April one thousand seven hundred and ninety four.

Whereas the said The Governors and Governors of Saint Johns College in the State of Maryland have recovered Judgment against Edward Reynolds in Calvert County Court at April Term seventeen Hundred and ninety four for the sum of sixty four pounds ten shillings Current Money and Costs of Suit from which said Judgment the said Edward Reynolds is about to appeal to the General Court for the Western Shore. Now the

(Condition)