Maryland ss. The State of Maryland. To the Honorable the judges of the General Court Greeting. Because in the record and proces and also in the rendering of judgment on a certain action of debt brought by a certain William Matthews of Baltimore County against Edward Carvel Tolley of said County for the sum of three hundred and sixty nine pounds five shillings and eight pence Current money and costs of suit. held before you our said judges at the City of Annapolis May term last past. Manifest error as it is said has happened to the great damage of the said Edward Carvel Tolley as of his complaint we have received. and we being willing that the Errors if any there be should be duly corrected and full and speedy justice done to the said Edward Carvel Tolley in this behalf command you that if Judgment be thereof rendered that then the record and proces aforesaid with all things thereunto relating under your seals distinctly and openly you send and this writ so that the same may be had before the judges of our high Court of appeals at Annapolis the first tuesday in October next that the record and proces aforesaid being inspected into we may further do therein for the correcting that Error which of right and according to the laws and customs of this state may be done. Witness the Honorable John Rogers Esquire Chancellor this 29th day of June Anno Domini 1786.

Wm Hyde Reg. Cur. Can.

The State of Maryland ss. At a General Court for the Western Shore of the said State begun and held at the City of Annapolis on the second Tuesday of May being the ninth day of the same month in the year of our Lord one thousand seven hundred and eighty six.

Were present.

The Honorable { Robert Hanson Harrison Esquire chief judge; Alexander Contee Hanson and Robert Goldsborough Junior } Esquires judges.

David Steward Gent. Sheriff. Thos B. Hodgkin Et.

Amongst other proceedings was the following to wit.

P.S. William Matthews vs Dm. Edward Carvil Tolly & Clement Lewis

Be it remembered that heretofore to wit on the thirty first day of march in the year seventeen hundred and eighty five Command was given to the sheriff of Baltimore County that he should take Edward Carvill Tolley and Clement Lewis if they should be found in his bailiwick and them should safe keep so that he might have their bodies before the judges of our general court to be held at the city of annapolis on the second tuesday of may then next to answer unto William Matthews of a plea of trespass upon the case and so forth and that thereof he the said sheriff should not fail at his peril and that he should have then and there that writ. At which said second tuesday of May being the 10th day of the same month Anno Domini 1785 and the day of the return of the aforegoing writ comes the said William Matthews by Robert Smith his attorney and the sheriff of Harford County to whom the same writ was directed likewise comes and makes return thereof to the court here thus indorsed (indorsed) Cepi Tolley Mc Lewis — Wm Mc Laughlin Shff.

And the said Edward Carvil Tolley being called upon appears thereupon at the prayer of the plaintiff by his attorney aforesaid the aforesaid Edward Carvill Tolley is adjudged to give special bail to the action aforesaid whereupon the said Edward Carvill Tolley files in court here the following bail piece to wit — You William Allender and Jeffrey Dillon Shanley jointly and severally acknowledge your selves special bail for Edward Carvill Tolley in an action of the spass upon the case and so forth brought against him by Wm Matthews in the General Court for the Western Shore at the City of Annapolis the second tuesday in may next they acknowledge themselves content therewith this thirtieth day of April seventeen hundred and eighty five — Before Leyde Goodwin Thos Elliott —

And the aforesaid Edward Carvile Tolley by David Mc Mechen his attorney comes and defends the force and injury when and so forth and prays leave to imparle here unto until next court and he hath it and the same day is given to the plaintiff also. At which said next court to wit the 11th day of October Anno Domini 1785 come again the said parties plaintiff and defendant by their attornies aforesaid and the said defendant by his said attorney prays further leave to imparle here unto until next court and he hath it and the same day is given to the plaintiff also. At which said next court to wit the 9th day of May Anno Domini 1786 come again as well the said William Matthews by his attorney aforesaid as the said Edward Carvile Tolley by his attorney aforesaid and the said William Matthews by his said attorney declares against the aforesaid Edward Carvill Tolley in the plea aforesaid as follow to wit —

Western Shore of Maryland Baltimore County to wit Edward Carvile Tolley and Clement Lewis were attached to answer unto William Matthews of a plea of trespass upon the case and so forth and whereupon the same William Matthews by Robert Smith his attorney complains that the aforesaid Edward Carvell Tolley and Clement Lewis on the third day of December in the year seventeen hundred and eighty four at the County aforesaid were indebted unto the aforesaid William Matthews in the sum of three hundred and sixty nine pounds five shillings and eight pence current money of Maryland for divers goods wares and merchandizes by the said William Matthews to the said Edward Carvile Tolley and Clement Lewis at their special instance and request there before that time sold and delivered as by an account thereof brought here into court may appear and so thereof being indebted the said Edward Carvile Tolley and Clement Lewis in consideration thereof then and there assumed upon themselves and promised the said William Matthews to pay him the said William Matthews the aforesaid sum of money when thereto afterwards they should be requested. Nevertheless the said Edward Carvile Tolley and Clement Lewis their promise and assumption aforesaid not regarding but minding in this part the said William Matthews to defraud the aforesaid sum of money or any part thereof to the said William Matthews yet have not paid (although to do the same by the aforesaid William Matthews the aforesaid Edward Carvill Tolley and Clement Lewis on the first day of January in the year seventeen hundred and eighty five and often afterwards at the County aforesaid