advised to give their Judgment of and upon the premises day therefore is given to the said parties to hear thereof their Judgment of and upon the premises until the second Tuesday of June next because the Court now here are not yet &c. At which said second Tuesday of June being the tenth day of the same Month in the year of our Lord one thousand seven hundred and Ninety four to which said day the aforesaid Plaintiff and Defendant had time to appear by their Attorneys, And because the Court now here are not advised to give their Judgment of and upon the premises day is given to the said parties to hear thereof their Judgment of and upon the premises until the second Tuesday of November next because the Court now here are not yet &c. – At which said second Tuesday of November being the eleventh day of the same Month in the year of our Lord one thousand seven hundred and Ninety four comes into our High Court of Appeals the said Thomas Barnett by William Cooke his Attorney, And on Motion of the said Thomas Barnett by his Attorney aforesaid, It is ordered by the Court here that the said Thomas Barnett have his Writ of Scire facias directed to the Sheriff of Dorchester County commanding him that he make known unto the aforesaid John Manning that he be and appear before the Judges of our High Court of Appeals on the second Tuesday of June next to show cause &c. which said Writ accordingly issued in the words and figures following to wit. –

The State of Maryland Ss. To the Sheriff of Dorchester County Greeting –

Seal

Whereas Thomas Barnett lately in our General Court for the Eastern Shore of the said State begun and held at Easton in Talbot County on the second Tuesday of September in the year of our Lord seventeen hundred and Ninety two, and by Judgment of the same Court recovered against John Manning late of Dorchester County in the State of Maryland planter the sum of four hundred pounds Current Money a certain debt, and also the Quantity of six hundred and thirty six pounds of Tobacco for his damages, which he had sustained, as well by reason of the detention of that debt, as for his Costs and charges by him about his suit in that behalf expended, whereof the said John Manning is convict as by the inspection of the Record and proceedings thereof in our High Court of Appeals before the Judges thereof which was lately caused to be brought before our said Judges on an Appeal made by the said John Manning for certain causes of Our appears of Record and now on behalf of the said Thomas Barnett we have in our said Court before us understood, that Although the Judgment thereof is given yet execution for the debt and damages aforesaid still remains to be made for him, Wherefore the said Thomas Barnett hath implored us to grant him a proper remedy in this behalf, and we being willing that what is

just in this behalf should be done command you, that by good and lawful Men of your Bailiwick, you give Notice to the said John Manning that he be and appear before the Judges of our High Court of Appeals to be held at the City of Annapolis on the second Tuesday of June next to shew if he hath, or can say any thing for himself why the said Thomas Bennett ought not to have his execution against him for the debt and damages aforesaid according to the form and effect, of the recovery aforesaid if he shall think fit, and further to do and receive what our said Court shall then and there consider concerning him in this behalf, and have there then the names of those by whom you shall give him Notice and this Writ, Witness the Honorable Benjamin Rumsey Esquire Chief Judge of our said Court of Appeals the eleventh day of November Anno Domini 1794 –

Issued the first day of May 1795 – (W Cooke) Burton Whetcroft
Clk Co. of Appl –

But because the Court now here are not yet advised to give their judgment of and upon the premises day Therefore is further given to the said Parties until the second Tuesday of June next to hear thereof their Judgment of and upon the premises, because the Court now here thereof are not yet &c. – And now at this day to wit the said second Tuesday of June being the Ninth day of the same Month in the year of our Lord one thousand seven hundred and Ninety five and the day of the return of the aforegoing Writ of Scire facias comes again into our High Court of Appeals the said Thomas Barnett by William Cooke his Attorney aforesaid, And the Sheriff of Dorchester County to wit, John Tootell Gentleman, to whom the said aforegoing Writ was made and directed, likewise comes and makes return thereof to the Court here thereon endorsed to wit –

Made known the 18th May 1795, Jno. Tootell Shff –

And the said John Manning Although solemnly called to come into Court here and prosecute his Appeal aforesaid against the said Thomas Bennett comes not, but makes default – It is therefore considered by the Court here that the Appeal aforesaid made by the said John Manning be dismissed, And it is further considered by the Court that the said Thomas Barnett recover against the said John Manning the quantity of One thousand and eighty two pounds of Tobacco by the Court here unto him on his absent adjudged according to the form of the Statute in such case made and provided for his Costs and charges by him about his defence in this behalf laid out and expended by Occasion of the said John Manning not prosecuting his said Appeal of and upon the premises, and that he have thereof his Execution &c. –

Test Burton Whetcroft, Clerk Court of Appeals