At which said second Tuesday of June being the Ninth day of the same Month seventeen hundred and ninety five comes into our High Court of Appeals as well the aforesaid John O'Donnell by Robert Smith and Luther Martin his attornies as the aforesaid William Young by William Cooke his attorney but because the Court are not advised to give their Judgment of and upon the premises day therefore is given to the parties aforesaid before the Judges of our high Court of Appeals here until the second Tuesday of November next to hear their Judgment of and upon the premises because the Court now here thereof not yet &c. At which said second Tuesday of November being the tenth day of the same Month seventeen hundred and ninety five comes again here into our high Court of Appeals the said parties Appellant & Appellee by their Attornies aforesaid and the said Appellant by his Attornies saith that in the Record and process aforesaid likewise in the rendering of Judgment aforesaid there is manifest error in this to wit that by the record and process aforesaid it does appear that the Judgment aforesaid rendered was given for the aforesaid William Young against the aforesaid John O'Donnell whereas by the Law of the Land that Judgment ought to have been given for the said John O'Donnell against the said William Young therefore in that it is manifestly erred. and the said Appellee aforesaid says that there is no error in the record and proceedings aforesaid, or in the rendition of the Judgment aforesaid. and prays likewise that the Court here may proceed to examination as well of the record and proceedings aforesaid as of the matter aforesaid by the said Appellant above for error assigned - day therefore is given to the parties aforesaid until the second Tuesday of June next to hear their Judgment of and upon the premises because the Court now here thereof are not yet &c. And now here at this day to wit the second Tuesday of June being the fourteenth day of the same Month seventeen hundred and ninety six comes again here into our high Court of Appeals the said parties appellant and Appellee by their Attornies aforesaid Whereupon as well the Record and proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said John O'Donnell above for error assigned being seen heard and fully understood. Thereupon it is fully considered by the Court that the Judgment aforesaid be in all things in its whole force and effect the said causes and matters above for error assigned in any wise notwithstanding and further it is considered by the Court here that the said William Young do recover against the said John O'Donnell the quantity of Eleven hundred and thirty six pounds of Tobacco for his Costs and Damages which he hath sustained by reason of the delay of the Execution of the Judgment aforesaid by pretence of prosecution of the State of Maryland's Writ of Error and that the said William Young have thereof Execution &c. —

Test. Burton Whitcroft Clerk to the Court of Appeals

Charles Burgess against Joseph & Richard Yates

Be it remembered that heretofore to wit On the sixteenth day of May Anno Domini seventeen hundred and ninety five the aforesaid Charles Burgess sued out of the State of Maryland's high Court of Chancery the Writ of the State of Maryland of Error

directed to the Honorable the Judges of the General Court in the words and figures following to wit. — Maryland ss The State of Maryland to the Honorable the Judges of the General Court Greeting because in the Record and process and also in the rendering Judgment on a certain Action of Debt brought by Joseph Yates and Richard Yates against Charles Burgess for the sum of four hundred and twenty nine pounds five shillings and eight pence current Money and eight hundred and forty nine pounds of Tobacco Costs of Suit at a General Court of the Western Shore at May Term one thousand seven hundred and ninety four Manifest Error as it is said has happened to the great Damage of the said Charles Burgess 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 Charles Burgess in this behalf Command you that if Judgment be thereof rendered that then the Record and process 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 second Tuesday in June next that the Record and process aforesaid being inspected into we may further do therein for the correcting of that Error which of right and according to the Laws and Customs of this State may be done Witness the Honorable Alexander Contee Hanson Esquire Chancellor this Fourteenth day of May in the Year of our Lord one thousand seven hundred and ninety five —

Great Seal in Wax Appendant

Samuel Harvey Howard Reg. Cur. Can.

At which mentioned second Tuesday of June being the Ninth day of the same Month Seventeen hundred and ninety five and the day of the return of the aforegoing Writ the Honorable the Judges of the General Court to whom the said Writ of Error was made and directed in pursuance thereof and according to the form & effect of the Act of Assembly in such cases made and provided make return to the Judges of our Court here of the same Writ with the following Record to wit. —

The State of Maryland, to wit, 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 thirteenth day of the same Month Anno Domini One thousand seven hundred and ninety four, And in the Eighteenth year of the Independence of the said State, —

Present

The Honorable | Samuel Chase Esquire Chief Judge, Robert Goldsborough & Jeremiah Townley Chase | Esquires Puisné Judges

William Goldsmith Esquire Sheriff. John Gwinn Clerk

In the Record of proceedings of the same Court, among others is the following, to wit. —

M.B. Joseph Yates & Richard Yates against Charles Burgess

E.N.

Be it Remembered that heretofore to wit, on the thirteenth day of March Anno Domini seventeen