not yet advised to give their Judgment of and upon the premises day therefore is further given to the parties aforesaid before the Court here until the second Tuesday of November next to hear their Judgment of and upon those premises because the Court now here thereof are not yet &c. And now at this day to wit the said second Tuesday of November being the eighth day of the same Month in the year of our Lord one thousand seven hundred and ninety six, comes again into the High Court of Appeals here as well the aforesaid State by its Attorney aforesaid as the aforesaid Michael Lowe by his Attorney aforesaid, Whereupon as well the Record and proceedings aforesaid and the Judgment rendered in form aforesaid as the matters aforesaid by the said Attorney for the State aforesaid above for Errors assigned being seen heard and fully understood by the Court here and mature deliberation thereon had, Therefore for that it appears to the Court here that there is no Error either in the Record and proceedings aforesaid or in giving the Judgment aforesaid, Therefore it is considered by the Court here that the Judgment aforesaid rendered in form aforesaid be in all things affirmed, and it is further considered that the said Michael Lowe recover against the said State his damages Costs and charges aforesaid so as aforesaid rendered in the aforesaid General Court as also the quantity of one thousand six hundred and thirty two pounds of Tobacco adjudged to him on his assent according to the form of the Statute in such case made and provided for his Costs and charges which he hath sustained by occasion of the delay of the Execution of the Judgment aforesaid by means of the prosecuting the said Appeal by the said State and that he the said Michael Lowe have thereof his Execution &c.

Test. Burton Whitcroft Clerk Court of Appeals

W.P. State for the use of Joseph McNeily
vs
Ky to wit } Overton Carr

Be it remembered that heretofore to wit, on the 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 The Honorable the Judges of the General Court transmitted to the Honorable the Judges of the High Court of Appeals here the following Record on an Appeal made by the said State for the use of Joseph McNeily by William Pinkney its Attorney from the General Court for the Western Shore of said State the tenor whereof follows in these words to wit —



The State of Maryland &c.

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 October being the fourteenth day of the same Month Anno Domini seventeen hundred and Ninety four, and in the Nineteenth year of the Independence of the said State —

Present

The Honorable | Samuel Chase Esquire Chief Judge and
| Jeremiah Townley Chase, Esquire Puisne Judge

William Goldsmith Esquire Sheriff — John Gwinn Clerk —

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

WP. The State of Maryland for the use of Joseph McNeily
against
WK. Overton Carr —

Be it remembered that heretofore to wit, on the Ninth day of June Anno Domini seventeen hundred and Ninety two the State of Maryland writ of Capias ad respondendum issued out of our General Court directed to the Sheriff of Prince Georges County in the Words and figures following to wit —

The State of Maryland &c. To the Sheriff of Prince Georges County Greeting, We command you that you take Overton Carr late of Prince Georges County Gentleman if he shall be found in your Bailiwick and him safe keep, so that you have his body before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next, to answer unto the State of Maryland of a plea that he render unto the said State, the full sum and just quantity of two hundred thousand pounds of good sound Merchantable leaf Tobacco and Cask, which to the said State he owes and unjustly detains and so forth. Hereof fail not at your peril and have you then and there this writ, Witness the Honorable Samuel Chase Esquire Chief Judge of our said Court the 31st day of May Anno Domini 1792 —
Issued the 9th day of June 1792 — (W Pinkney) John Gwinn Clk —

And the said William Pinkney Attorney for the said State who for the said State in this behalf prosecuteth declared against the aforesaid Overton Carr in the plea aforesaid as follows to wit — State of Maryland, Prince George County ss. Overton Carr late of Prince Georges County Gentleman was summoned to answer unto the State of Maryland of a plea that he render unto the said State the full sum and just quantity of two hundred thousand pounds of good sound Merchantable leaf Tobacco and Cask which to the said State he owes and unjustly detains and so forth