against him to have or maintain ought &c – And the aforesaid John Heathcote and James Dall say that they by any thing by the said Abraham Jarrett above in pleading alledged from having or maintaining their Action aforesaid against him ought not to be precluded because they say that the aforesaid Abraham Jarrett hath not paid unto them the said John Heathcote and James Dall the aforesaid sum of Money in the Condition aforesaid mentioned with the Interest thereon in such manner and form as the aforesaid Abraham Jarrett above by pleading hath alledged, and of this they pray may be enquired of by the Country and soforth, And the aforesaid Abraham Jarrett in like manner and soforth – Therefore let a Jury thereupon appear before the Judges of our General Court here on the second Tuesday of October next by whom &c. and who neither &c. to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c – And now here at this day to wit the said second Tuesday of October being the fourteenth day of the same Month Anno Domini seventeen hundred and Ninety four come again here into our General Court as well the aforesaid John Heathcote and James Dall by their Attorney aforesaid as the aforesaid Abraham Jarrett by his Attorney aforesaid, Nevertheless the aforesaid Abraham Jarrett by his Attorney aforesaid relinquishing the averment aforesaid above by him pretended says that he cannot deny the Action of the aforesaid John Heathcote and James Dall so as aforesaid against him brought nor but that he owes to the aforesaid John Heathcote and James Dall the aforesaid sum of Nine hundred and thirty one pounds six shillings and eight pence Current Money of Maryland in manner and form aforesaid so as the aforesaid John Heathcote and James Dall above against him have declared – Therefore it is considered by the Judges here that the aforesaid John Heathcote and James Dall recover against the said Abraham Jarrett as well the sum of Nine hundred and thirty one pounds six shillings and eight pence Current Money of Maryland their debt aforesaid in form aforesaid confessed as also the quantity of eight hundred and Ninety one pounds of Tobacco by the Court here unto them the aforesaid John Heathcote and James Dall on their absent adjudged as well for their damages sustained by reason of the detention of that debt as for their Costs and charges by them about their suit in this behalf laid out and expended, and the said Defendant in Mercy &c –

Memorandum, Judgment was rendered in this Cause, on the fifteenth day of October Anno Domini one thousand seven hundred and Ninety four for penalty and Costs of suit, and the Plaintiffs agree to release the penalty upon the payment of Principal Interest and Costs, and agree to stay execution until the first day of January next, payments if any to be allowed – Test – John Gwinn Clk – .. –

Afterwards to wit on the tenth day of February Anno Domini seventeen

hundred and Ninety five the aforesaid Abraham Jarrett produced the State of Maryland's Writ of Error commanding the Judgment aforesaid to be transmitted to the State of Maryland's High Court of Appeals the tenor whereof ensues in the words and figures following to wit – .. –

Maryland &c. 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 of Judgment on a certain Action brought by John Heathcote and James Dall against Abraham Jarrett for the sum of Nine hundred and thirty one pounds six shillings and eight pence Current Money of Maryland to be released on payment of four hundred and sixty five pounds thirteen shillings and four pence like money with Interest thereon from the first day of October seventeen hundred and Ninety two and eight hundred and Ninety one pounds of Tobacco costs of Suit at a General Court held before you our said Judges at Annapolis October Term last – Manifest Error as it is said has happened to the great damage of the said Jarrett 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 Jarrett 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 10: day of February Anno Domini 1795 – Samuel Harvey Howard Reg – Cur – Can – .. –

In Pursuance whereof and according to the form and effect of the Act of Assembly in such Cases made and provided, a Transcript of the Judgment aforesaid so as aforesaid rendered with all things thereunto relating is hereby transmitted to the said State of Maryland's High Court of Appeals accordingly –

In Testimony whereof, that the aforegoing Transcript is truly taken from the Record and proceedings of the General Court for the Western Shore of the State aforesaid, I have hereunto set my hand and affixed the public Seal of my office this tenth day of February Anno Domini one thousand seven hundred and and Ninety five, And in the Nineteenth year of the Independence of the said State –

Seal

John Gwinn Clerk General Court Western Shore
State of Maryland – .. –

At which day to wit the said second Tuesday of June being the