Edwards and Jacob Stansbury the said sum of one hundred and sixty six pounds fifteen shillings current money in manner and form aforesaid so as the said James Edwards and Jacob Stansbury above against him have declared, therefore it is considered by the Court here, that the said James Edwards and Jacob Stansbury recover against the said John Colegate as well the sum of one hundred and sixty six pounds fifteen shillings current money their debt aforesaid in form aforesaid confessed as also the quantity of one thousand and forty two pounds of tobacco by the court here unto the said James Edwards and Jacob Stansbury on their assent 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 John Colegate in mercy &c.

Memorandum. Judgment was rendered in this cause on the seventeenth day of may in the year of our lord one thousand seven hundred and ninety seven for penalty and costs of suit: and the plaintiffs agrees to release the penalty upon the payment of principal Interest and costs: and agrees to stay execution until the first day of August next payment if any to be allowed.

Test John Gwinn Clk

Afterwards to wit on the first day of August in the year of our lord One thousand seven hundred and ninety seven the said John Colegate by his attorney aforesaid produced the writ of the State of Maryland of error directed to the Judges of the General court in manner and form 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 of Judgment on a certain action brought by James Edwards and Jacob Stansbury against John Colegate for the sum of one hundred and sixty six pounds fifteen shillings debt and one thousand and forty two pounds of tobacco costs of suit at a general court held before you our said Judges at may term last manifest error as it is said has happened to the great damage of the said John Colegate as of his complaint we have received and we being willing that the errors of any there be should be duly corrected and full and speedy Justice done to the said John Colegate 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

of november next that the record and process aforesaid being inspected into we may further do therein for correcting that error which of right and according to the laws and customs of this State may be done Witness the honorable Alexander Contee Hanson Chancellor this first day of august in the year of our lord Seventeen hundred and ninety seven.

Samuel Harvey Howard Reg. Cur. Can.

In pursuance whereof, and according to the form and effect of the act of Assembly in such case made and provided a transcript of the record of proceedings on the Judgment aforesaid and all things thereunto relating with the writ of error aforesaid annexed, is hereby transmitted to the honorable the Judges of the High Court of appeals. In testimony that the aforegoing transcript is truly copied from the record of proceedings of the General court for the Western shore of the state aforesaid in the action aforesaid, I have hereunto set my hand and affixed the seal of the said General Court the first day of August in the year of our Lord one thousand seven hundred and ninety seven, and in the year of the Independence of the United States of America the twenty first.

John Gwinn Clerk

At which said second tuesday of november being the fourteenth day of the same month seventeen hundred and ninety seven, comes into the high court of appeals as well the aforesaid John Colegate by James Winchester his attorney as the aforesaid James Edwards and Jacob Stansbury by Nicholas Brice their attorney: but because the court are not yet 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 June 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 June being the twelfth day of the same month seventeen hundred and ninety eight, comes again here into our high court of appeals the said parties Appellant and Appellees by their attornies aforesaid and the said Appellant by his attorney saith that in the record and process aforesaid likewise in the rendering of Judgment aforesaid there is manifest error in these to wit that by the record and process aforesaid it does appear that the Judgment aforesaid rendered was given for the aforesaid Appellees against the aforesaid Appellant, whereas by the laws of the land that Judgment ought to have been given for the said Appellant against the said Appellees therefore in that it is manifestly erred; and the said appellees aforesaid says that there is no error in the record and proceedings aforesaid or in the rendition of the Judgment aforesaid and prays likewise