At which said second Tuesday of November being the tenth day of the same Month seventeen hundred and ninety five comes into our High Court of Appeals as well the aforesaid John Francis Mercer by William Cooke & Luther Martin his Attornies as the aforesaid Jenny Boston by her Attornies John Johnson, Gabriel Duvall & Jonathan Wilmer 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 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 fourteenth day of the same Month seventeen hundred and ninety six comes again here into our high Court of Appeals the said parties Appellant & Appellee by their Attornies aforesaid 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 are now here thereof not yet &c. At which said second Tuesday of November being the Eighth day of the same Month seventeen hundred and ninety six comes again here into our high Court of Appeals the said parties Appellant & Appellee by their Attornies aforesaid 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 thirteenth day of the same Month seventeen hundred and ninety seven 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 with 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 Jenny Boston against the aforesaid John Francis Mercer Whereas by the Law of the Land that Judgment ought to have been given for the said John Francis Mercer against the said Jenny Boston 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 November 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 said second Tuesday of November being the fourteenth day of the same Month in the year of our Ld. one thousand seven hundred and ninety seven comes again into our high Court of Appeals as well the aforesaid John Francis Mercer by his Attornies afsd. as the said Jenny Boston by her Attornies aforesaid. Whereupon all and singular the premises being seen heard and by the Court here more fully understood and mature deliberation being thereon had Because it seems to the Court here, that there is no Error either in the Record and proceedings aforesaid or in the rendition of the Judgment aforesaid therefore it is considered that the said Jenny Boston the Petitioner aforesaid is intitled to her Freedom. and that the said Jenny Boston therefore goes without day and so forth. And it is also considered by the Court here that the said Jenny Boston be free, and discharged, of and from the service of the aforesaid John Francis Mercer, and that she the said Jenny Boston goes thereof without day and so forth. And it is also further considered and adjudged by the Court here, that the said Jenny Boston recover against the aforesaid John Francis Mercer the quantity of Seventeen hundred pounds of Tobacco adjudged unto her on her Absent for her Costs and charges by her about the prosecution of the said Appeal in the pre[illegible] aforesaid, and that she have thereof her Execution against the said John Francis [illegible]

Test, Burton Wheteroft Clk. to the Ct. of Appeals

John Francis Mercer
@
John Boston

Be it remembered that heretofore to wit, on the second Tuesday of November being the tenth day of the same Month in the year of our Lord one thousand seven hundred & ninety five 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 the Tenor whereof follows in these words 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 October being the Thirteenth day of the same month, in the year of our Lord one thousand seven hundred and ninety five. And in the Twentieth year of the Independence of the said State.

Present,

The Honorable Samuel Chase, Esquire Chief Judge, Robert Goldsborough & Jeremiah Townley Chase } Esquire puisne Judges,

Richard Harwood Esquire Sheriff, John Irwin, Clk.

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

G.D.W.P. John Boston
against
W.C. John Francis Mercer

Be it remembered that on the first day of November Anno Domini seventeen hundred and ninety one John Boston by George Jennings his Attorney exhibited to the Judges of our General Court, then in Court sitting his petition for Freedom against John Francis Mercer in the words and figures following to wit,

To the Honorable the Judges of the General Court,

The Petition of John Boston, Humbly sheweth, That your Petitioner is held in Slavery by a certain John Francis Mercer when he is entitled to Freedom being descended from a free yellow Woman being one of the Portugues whose name as your Petitioner is informed was Lenar Boston, Your Petitioner therefore prays your Honour to take his case into consideration and discharge him from the Service of the said John Francis Mercer, and your petitioner as in duty bound will pray &c.

Geo. Jennings for Petitioner

Whereupon it is Ordered by the Court here that the said John Francis Mercer of Ann Arundel County do not remove the aforesaid John Boston out of this State nor obstruct him from attending this Court from time to time in support of his petition for Freedom preferred against him the said John Francis Mercer and in the mean time to find Cloath and use the said Petitioner well.— And at the prayer of the aforesaid John Boston by his Attorney aforesaid Summons is ordered by the Court to issue to the Sheriff of Anne Arundel County against the aforesaid John Francis Mercer to answer the Petition aforesaid which afterward to wit on the twenty first day of November in the said year seventeen hundred and ninety one accordingly issued directed to the Sheriff of Anne Arundel County aforesaid in the words and figures following to wit,

The State of Maryland, to wit, To the Sheriff of Ann Arundel County greeting. We command you that you summons John Francis Mercer late of Ann Arundel County that all delays and excuses be set aside he be and appear before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of May next, to answer unto the petition of John Boston preferred against him for Freedom, hereof he is not to fail, and fail not at your peril and have you then and there [illegible] the Honorable Samuel Chase Esquire Chief Judge of our said Court, Witness [illegible] ember Anno Domini 1791.

Issued the 21st day of November Anno Domini 1791 [illegible] Jennings [illegible]