he the said Benjamin Oden nor any other person hath for his use received any part or parcel security or satisfaction for the within Bond. Sworn to the best of his knowledge before me this Ninth day of April Seventeen hundred and ninety five.

Rend. Johnson

Thereby, Assigne transfer and set over unto Alexander Henderson, Robert Ferguson and John Gibson partners in Trade under the firm of Henderson Ferguson and Gibson all my right title and Interest in and to the within Bond; Witness my my hand and Seal this ninth day of April 1795.

Benjamin Oden (seal)

Signed & Sealed in presence of Rend. Johnson.

A Copy of which aforegoing Declaration and Oyer, Oath and Assignment was made and sent with the Writ which issued, in the plea aforesaid.

At which mentioned second Tuesday of October being the thirteenth day of the same Month Anno Domini Seventeen hundred and ninety five and the day of the return of the aforegoing Writ come here into our General Court here the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid by Philip Barton Key their Attorney aforesaid, And the Sheriff of Prince Georges County to whom the said aforegoing Writ was made and directed, likewise comes and makes return thereof, to the Court here, thus endorsed, to wit.

Copi both Copys left the 17th Sept. Wm. I. Jackson Sheff.

And the said Silghman Hillearry and Clement Wheeler by Nicholas Brice their Attorney come and defend the force and injury when and so forth, and say that they cannot deny the Action aforesaid of the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid so as aforesaid against them brought nor but that they owe to the aforesaid Alexander Henderson, Robert Ferguson and John Gibson Assignees as aforesaid the aforesaid sum of One hundred pounds Current Money in such manner and form as the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid above against them have complained; And the said Silghman Hilleary and Clement Wheeler further say that they cannot deny but that the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid have sustained Damage by reason of the detention of the debt aforesaid to the Sum of Fifty pounds Current Money in like manner and form as the aforesaid Alexander Henderson, Robert Ferguson and John Gibson within against them have complained besides their Costs and Charges by them about their Suit in this behalf laid out and expended &c. And hereupon the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid by their Attorney aforesaid pray Judgment for their Debt aforesaid by the said Silghman Hilleary and Clement Wheeler herein before confessed together with their Damages by the aforesaid Silghman Hilleary and Clement Wheeler also acknowledged as also their Costs & charges by them about the suit in this behalf laid out and

expended to them to be adjudged &c.

Therefore it is considered by the Judges here that the aforesaid Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid recover against the aforesaid Silghman Hilleary and Clement Wheeler as well the sum of One hundred pounds Current Money their Debt aforesaid in form aforesaid confessed, as also the sum of Fifty pounds Current Money their Damages aforesaid confessed to be sustained by reason of the detention of that Debt, as also the quantity of Seven hundred and sixty one pounds of Tobacco by the Court here unto the said Alexander Henderson, Robert Ferguson and John Gibson assignees as aforesaid on their absent adjudged for their Costs and charges by them about their suit, in this behalf laid out and expended, And the aforesaid Silghman Hilleary and Clement Wheeler in Mercy &c.

Memorandum, Judgment was rendered in this Cause, on the twenty first day of October Anno Domini Seventeen hundred and ninety five, for One hundred pounds Current Money Debt, and Fifty pounds Current Money Damages and Costs of Suit, And the Plaintiffs agree to release the aforesaid Damages on payment of the Interest on One hundred pounds Current Money the Debt aforesaid from the fifth day of April Seventeen hundred and ninety three, and also agree to stay Execution twelve Months.

Test. John Gwinn, Clk.

Afterwards, to wit, On the fourteenth day of November Anno Domini Seventeen hundred and ninety six, the aforesaid Silghman Hilleary and Clement Wheeler produced the Writ of the State of Maryland of Error commanding the Judgment aforesaid, to be transmitted to the High Court of Appeals of the said State, the tenor whereof ensues 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 of Judgment on a certain Action brought by Alexander Henderson, Robert Ferguson and John Gibson against Silghman Hillary and Clement Wheeler for the sum of One hundred pounds Current Money Debt and Fifty pounds Current Money Damages and Costs, Damages to be released on payment of Interest on the Debt from the fifth day of April Seventeen hundred and ninety three till paid and Seven hundred and sixty one pounds of Tobacco Costs of Suit at a General Court held before you our said Judges at October Term One thousand seven hundred and ninety five, Manifest Error as it is said has happened to the great Damage of the said Silghman Hillary and Clement Wheeler as of their Complaint we have received, and be being willing that the Errors if any there be should be duly corrected and full and speedy Justice done to the said Silghman Hillary and Clement Wheeler in this behalf command you that if Judgment 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 [illegible] Court of A[illegible]