unto them the aforesaid William Barclay and Samuel M'Kean the aforesaid sum of money in the condition aforesaid mentioned with the interest thereon in such manner and form as the said Henry Cooksey above by pleading hath alledged, and of this they pray may be enquired of by the Country, and the said Henry Cooksey in like manner and so forth. Therefore let a Jury thereon appear before the Court here, on the second tuesday of may next by whom and so forth and who neither and so forth, to recognize and so forth, because as well and so forth the same day is given to the said parties there and there &c.

And now at this day towit the said second tuesday of may being the eighth day of the same month in the year of our Lord one thousand seven hundred and ninety eight, came again into the General Court here, as well the aforesaid William Barclay and Samuel M'Kean by their Attorney aforesaid, as the said Henry Cooksey by his Attorney aforesaid, and the said Henry Cooksey by his Attorney aforesaid relinquishing the anserment aforesaid above by him pretended say, that he cannot deny the action aforesaid of the aforesaid William Barclay and Samuel M'Kean so as aforesaid against him brought, nor but that he owes to the aforesaid William Barclay and Samuel M'Kean the aforesaid sum of sex hundred and eighty two pounds current money in manner and form aforesaid so as the aforesaid William Barclay and Samuel M'Kean above against him have declared. Therefore it is considered by the Court here, that the aforesaid William Barclay and Samuel M'Kean recover against the said Henry Cooksey as well the sum of six hundred and eighty two pounds current money their debt aforesaid in form aforesaid confessed, as the quantity of eight hundred and one pounds of Tobacco, by the Court here unto the aforesaid William Barclay and Samuel M'Kean in 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 Henry Cooksey in mercy &c.

Memorandum. Judgment rendered in this cause, on the seventeenth day of May in the year of our lord, one thousand seven hundred and ninety eight, for the penalty and costs of suit, and the Plaintiff agree to release the penalty upon the payment of principal interest and costs, and agree to stay execution until the first day of august next, payments if any to be allowed.

Test John Gwinn Clk

Afterwards towit, on the thirteth day of July in the year of our lord one thousand seven hundred and ninety eight, the said Henry Cooksey by Richard Hall Harwood his Attorney produced the Writ of the state of Maryland of error, directed to the Judges of the General Court in the words and figures following towit

Maryland, sc. 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 by William Barclay and Samuel M'Kean against Henry Cooksey for the sum of sex hundred and fifty two pounds current money a certain debt and eight hundred and one pounds of Tobacco costs, 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 Henry Cookseys as of his complaint we have received and we being willing that the error, if any there be should be duly corrected and full and speedy justice done to the said Henry Cookseys 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 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 unto 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 twenty ninth day of July in the year of our lord seventeen hundred and ninety eight.

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 said High Court of Appeals.

Test John Gwinn Clk

The State of Maryland, sc.

I hereby Certify that the aforegoing is a true copy taken from the record of proceedings of the General Court of the Western shore of the said state. In Testimony whereof, to this Exemplification (the same being first duly stamped) I have hereunto set my hand and affixed the seal of the said General Court this thirteth day of July in the year of our lord one thousand seven hundred and ninety eight; And in the twenty third year of the Independence of the United States of America.

Seal

John Gwinn Clerk General Court, Western Shore, State of Maryland

At which day towit, the said second tuesday of november being the thirteenth day of the same in the year of our Lord Seventeen hundred and ninety eight, comes into the High Court of Appeals as well the said Henry Cookseys by Richard Hall Harwood his Attorney, as the said William Barclay and Samuel M'Kean by William Cooke their Attorney and thereupon on motion of the said Appellees by their Attorney aforesaid, It is ruled by the Court here that the said Appellant assign the errors in the record of proceedings between the said Appellant and the said Appellees before the Court here brought for correcting those errors in the record and proceedings aforesaid supposed to be therein or Judgment by the Court here will be entered against him in default thereof. whereupon the said Appellant by his Attorney aforesaid comes and prays of importance to the errors aforesaid for the reversal of the Judgment aforesaid by him the aforesaid Appellant to be assigned until the second tuesday of June next, and then to assign these errors for the reversal of the Judgment aforesaid in the record and proceedings aforesaid rendered and to him it is granted the same day is given to the said Appellees also.

At which said second tuesday of June being the eleventh day of the same