the said Appellee by his attorney aforesaid says, there is no error either in the record and proceedings aforesaid or in the rendition of the Judgment aforesaid and prays likewise that the Court here may proceed to the examination as well of the record and proceedings aforesaid as of the matters aforesaid by the said Appellant above for errors assigned and that the said Judgment may be in all things affirmed and so forth. But because the Court here are not yet advised to give their Judgment of and upon the premises day therefore is given to the parties aforesaid before the Court here until the second tuesday of November next to hear their Judgment of and upon those premises because the Court now here thereof are not yet advised &c.

And now at this day towit, the said second tuesday of November being the twelfth day of the same month Seventeen hundred and ninety nine, comes again into the High Court of Appeals here as well the aforesaid Appellant by his Attorney aforesaid as the said Appellee by his attorney aforesaid. Whereupon as well the record and proceedings aforesaid and the Judgment rendered in form aforesaid as the matters aforesaid by the said Appellant above for errors assigned being seen heard and fully understood by the Court and mature deliberation thereon had, thereupon for that it appears to the Court here that there is no error either in the record and proceedings aforesaid or in giving the Judgment aforesaid, therefore it is considered by the Court here that the Judgment aforesaid rendered in form afs.d be in all things affirmed. And it is further considered by the Court here that the said Appellee recover against the said Appellant his damages costs and charges aforesaid so as aforesaid rendered in the aforesaid General Court as also the quantity of Eleven hundred and forty four pounds of Tobacco adjudged to him on his absent according to the form of the statute in such cases made and provided for his costs and charges which he hath sustained by occasion of the delay of the Execution of the Judgment aforesaid by means of prosecuting the said Writ of error by the said Appellant, and that he the said Appellee have thereof his Execution &c.

Test Burton Wheteroft Clerk Court of Appeals

I T.M. William Magrath

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Key { Saml. Maynard use of
Benj.a Oden use of
P. B. Key ——

Be it remembered that on the thirty first day of July Seventeen hundred and ninety eight the aforesaid William Magrath by John Thomson Mason his attorney sued out of the State of Maylands High Court of Chancery the writ of the said state (of error) directed to the Honorable the Judges of the General Court in the words following towit: Maryland Set The State of Maryland To the Honorable the Judges of the General Court Greeting: because in the record and proceedings and also in the rendering of Judgment on a certain action brought by Samuel Maynard against William Magrath for the sum of four hundred pounds current money and costs of suit to be released on the payment of two hundred pounds current money with interest thereon from the thirty first day of October seventeen hundred and ninety four, at a General Court held before you our said Judges at May term one thousand seven hundred and ninety eight manifest error as it is said has happened to the great damage of the said

William Magrath 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 William Magrath 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 thirty first day of July in the year of our Lord one thousand seven hundred and ninety eight

(The Great Seal in wax Append.d) Samuel Harvey Howard Reg. Cur. Cur.

At which mentioned second Tuesday of november being the thirteenth day of the same month Seventeen hundred and ninety eight, and the day of the return of the aforegoing writ the Honorable the Judges of the General Court to whom the said writ of error was made and directed in pursuance thereof and according to the form and effect of the act of Assembly in such case made and provided make return to the Judges of our Court here of the same writ with the following Record towit.

The State of Maryland, set.

(Stamp)

At a General Court of the western shore of the said state, one of the united states of America, begun and held at the City of Annapolis on the 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 and in the twenty second year of the Independence of the said United States of America.

Present

The Honorable Robert Goldsborough Esquire chief Judge
Jeremiah Townley Chase and Gabriel Duvall Esquires Judges

John Welch Esquire Sheriff John Gwinn Clerk

In the record of proceedings of the same Court among others is the following towit

Samuel Maynard use of
Benjamin Oden use of
Philip Barton Key
against
William Magrath

Be it remembered that heretofore towit on the fifteenth day of march in the year of our Lord one thousand seven hundred and ninety seven the said Samuel Maynard by Philip Barton Key his attorney sued out of the General Court the writ of the state of Maryland of Capias ad respondendum directed to the Sheriff of Montgomery County in the words and figures following towit The State of Maryland, sc. To the Sheriff of Montgomery County greeting, we command you that you take William Magrath late of Montgomery County yeoman otherwise called William Magrath of Montgomery County, if he shall be found in your bailiwick and him safe keep, so that you have his body 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 Samuel Maynard of a plea that he render unto him the full and just sum of four hundred pounds current money which to him he owes and from him unjustly detains and