Error as it is said has happened to the great damage of the said James Mewburn 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 James Mewburn 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 seventeen hundred and ninety Eight.

Samuel Harvey Howard Reg Cancellar

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, set.

I hereby Certify that the aforegoing is a true Copy taken from the records 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 first day of August 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.

S E L

John Gwinn Clerk General Court Western Shore of Maryland

At which day to wit the said second tuesday of November being the thirteenth day of the same month Seventeen hundred and ninety eight, comes into the High Court of Appeals as well the said James Mewburn by Luther Martin and John Mackall Gantt his Attornies as the said John Hackett and Alexander Grant by Jonathan Roberts & William and David W. Meeken their Attornies. And thereupon on motion of the said Appellees by their attornies 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 Attornies aforesaid, comes and prays a day of imparlance 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 those 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 month Seventeen hundred and ninety nine, to which said day the said Appellt had leave to imparl and then to assign those errors for the reversal of the Judgment in the record and proceedings aforesaid rendered supposed to be therein, came again into the High Court of Appeals here as well the said Appellant by his Attornies aforesaid as the aforesaid Appellees by their Attornies aforesaid and the said Appellant by his Attornies aforesaid comes and says that in the record and process aforesaid and also in the rendering of Judgment aforesaid there is manifest error in this to wit: That whereby the record aforesaid it appears that the Judgment aforesaid in the plea aforesaid rendered was given for the said Appellees against the said Appellant. Therefore in that there is manifest errors and he prays that the Judgment aforesaid for that error and others being in the record and process aforesaid may be reversed annulled and held entirely as void and that the said Appellant may be restored to all that he hath lost by Occasion of the Judgment aforesaid and that the said Appellees may rejoin to the errors aforesaid &c. And the said Appellees by their attornies aforesaid say there is no Error either in the record and proceedings aforesaid or in the rendition of the Judgment aforesaid and pray 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 these premises because the Court now here thereof are not yet advised &c. And now at this day to wit the said second tuesday of November being the twelfth day of the same month Seventeen come again into the High Court of Appeals here as well the aforesaid Appellant by his Attornies aforesaid as the said Appellees by their Attornies aforesaid. Whereupon as well the record and proceedings aforesaid and that 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 therein had. Whereupon 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 aforesaid be in all things affirmed. And it is further considered by the Court here that the said Appellees recover against the said Appellant their damages cost and charges aforesaid so as aforesaid rendered in the aforesaid General Court as also the quantity of twelve hundred and twenty four pounds of tobacco adjudged to them on their appeal according to the form of the statute in such cases made and provided for their cost and charges which they 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 they the said appellees have therefor their Execution &c.

Test Burton Wheatcroft Clerk