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 their Execution &c

Test Burton Whetcroft Clerk Court of Appeals

Key. Overton Carr
vs
W.C. Charles Carroll of Carrollton

Be it remembered that on the thirty first day of July Seventeen hundred and ninety Eight the aforesaid Overton Carr by Philip Barton Key his attorney sued out of the state of Maryland as 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 to wit Maryland Sc. The State of Maryland to the honorable the Judges of the General Court greeting: because in the record and proceeds and also in the rendering of Judgments on a certain action brought by Charles Carroll against Overton Carr for the sum of four hundred and ninety one pounds one shilling and six pence current money and costs to be released on payment of the sum of two hundred and forty five pounds ten shillings and nine pence current money with interest from the eighteenth day of October seventeen hundred and eighty nine till paid and costs at a General court held before you our said Judges at may term seventeen hundred and ninety seven manifest error as it is said has happened to the great damage of the said Overton Carr 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 Overton Carr in this behalf command you that if Judgment be thereupon rendered that then the record and proceeds 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 proceeds aforesaid being inspected unto us 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.

The Great Seal in wax affixed. Samuel Harvey Howard Reg. Cancellar

At which mentioned second tuesday of November being the fifteenth 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 to wit

Stamp The State of Maryland Sc.

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 ninth day of the same month in the year of our lord one thousand seven hundred and ninety seven, and in the year of the Independence of the said United States of America the twenty first.

Present

The Honorable Robert Goldsborough Esquire chief Judge
Jeremiah Townley Chase
and Gabriel Duvall Esquires Judges
Richard Harwood Esquire Sheriff John Gwinn Clerk

In the records of proceedings of the same Court is the following to wit

Charles Carroll of Carrollton against Overton Carr

Be it remembered that heretofore to wit on the sixth day of April in the year of our lord one thousand seven hundred and ninety seven Charles Carroll of Carrollton by William Cooke his attorney sued out of the General Court here the Writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Prince Georges county in form following, to wit &c

The State of Maryland Sc. To the Sheriff of Prince Georges county greeting: we command you that you take Overton Carr late of Prince Georges county gentleman otherwise called Overton Carr of Prince Georges 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 Charles Carroll of a plea that he render unto him the full and just sum of four hundred ninety one pounds one shilling and six pence current money which to the said Charles he owes and unjustly detains and so forth hereof fail not at your peril and have you then and there this writ. Witness the honorable Robert Goldsborough Esquire chief Judge of our said Court the 12th day of December anno domini 1796. Issued the 6th day of April 1797. (W. Cooke) John Gwinn Clk

And the said Charles Carroll by his attorney aforesaid on the day of the date and issuing of the aforegoing writ filed in Court here his declaration against the said Overton Carr in the plea aforesaid; and the oyer of the bond: a copy whereof was made and sent with the said writ to the Sheriff of the county aforesaid in form following to wit: Western Shore, State of Maryland, Prince Georges county Sc. Overton Carr late of Prince Georges county Gentleman otherwise called Overton Carr of Prince Georges county was summoned to answer unto Charles Carroll of a plea that he render unto him the full and just sum of four hundred ninety one pounds one shilling and six pence current money which to said Charles he owes and unjustly detains and so forth: And whereupon the said Charles by William Cooke his attorney saith that whereas the aforesaid Overton on the eighteenth day of October in the year one thousand seven hundred and eighty nine at Prince Georges county aforesaid by his