to the said Abraham Faw his heirs. extr. admrs. or assigns the just and full sum of one hundred pounds current money as aforesaid with legal interest for the same on at or upon the first day of august next ensuing without any fraud or further delay then the above obligation to be void and of none effect els to be stand and remain in full force and virtue in law." which being read and heard the said Nicholas saith that the said Abraham his action aforesaid thereof against him to have or maintain ought not. because he says that he paid to the said Abraham the sum of one hundred pounds current money in the condition aforesaid above specified in and upon the aforesaid first day of August then next ensuing the date of the said writing obligatory with all legal interest thereon then due which in and upon that day he ought to have paid according to the form and effect of the condition aforesaid. and this he is ready to verify. wherefore he prays Judgment if the said Abraham his action aforesaid thereof against him to have or maintain ought and so forth.

And the aforesaid Abraham Faw by his attorney aforesaid saith. that he by any thing by the said Nicholas Pagno above in pleading alledged from having or maintaining his action aforesaid against him ought not to be precluded. because he saith that the said Nicholas Pagno did not pay to him the aforesaid Abraham Faw the said sum of one hundred pounds current money in the condition aforesaid above specified in and upon the aforesaid first day of August then next ensuing the date of the said writing obligatory with all legal interest thereon then due which in and upon that day he ought to have paid according to the form and effect of the condition aforesaid in such manner and form as the said Nicholas Pagno above by pleading hath alledged. and of this he prays may be enquired of by the country. and the said Nicholas Pagno 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 then and there and so forth.

And now. at this day to wit. 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. come again into the General court here. as well the aforesaid Abraham Faw by his attorney aforesaid. as the said Nicholas Pagno by his attorney aforesaid. And the said Nicholas Pagno by his attorney aforesaid relinquishing the averment aforesaid. above by him pretended says. that he cannot deny the action aforesaid of the aforesaid Abraham Faw so as aforesaid against him brought. nor but that he owes to the aforesaid Abraham Faw the aforesaid sum of two hundred pounds current money of Maryland in manner and form aforesaid. so as the aforesaid Abraham Faw above against him hath declared.

Therefore it is considered by the Court here. that the aforesaid Abraham Faw recover against the said Nicholas Pagno as well the sum of two hundred pounds current money of Maryland his debt aforesaid in form aforesaid confessed. as the quantity of Eight hundred and twenty five pounds

of tobacco by the Court here unto the aforesaid Abraham Faw on his afore adjudged as well for his damages sustained by reason of the detention of that debt. as for his costs and charges by him about his suit. in this behalf laid out and expended. and the said Nicholas Pagno in mercy and so forth.

Memorandum. Judgment rendered in this cause on the tenth 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 agrees to release the penalty upon the payment of Principal. interest and costs. and agrees to stay executions until the first day of august next. payments if any to be allowed. Test John Green Clk

Afterwards. to wit. on the second day of August in the year of our lord one thousand seven hundred and ninety eight. the said Nicholas Pagno by his attorney aforesaid produced the Writ of the State of Maryland of error. directed to the Judges of the General court. in the words and figures following. to wit.

Maryland Set. 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 Abraham Faw against Nicholas Pagno for the sum of two hundred pounds current money and costs. to be released on payment of one hundred pounds current money with interest thereon from the sixth day of November seventeen hundred and ninety five till paid and costs. at a General court held before you our said Judges at may term last. manifest error as it is said hath happened to the great damage of the said Nicholas Pagno 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 Nicholas Pagno 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 second day of August in the year of our lord one thousand seven 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 Green Clk

The State of Maryland. set. 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 stamp'd) I have hereunto set my hand and affixed the seal of the said General court. this second 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.

(Seal)

John Green. Clerk. General Court. Western Shore. State of Maryland