here as yet are not advised of their Judgm.ts and upon the premisses day thereof is
further given to the said parties to hear the[ir] Judgm.t in this Court for that
the said Court yet are not &c —

At which said next Court to wit the 1st day of October Anno Dom.i 1717 Come again the
said parties pl.ff and def.t by their attorneys afs.d But for that the Court here as yet
are not advised of their Judgm.ts and upon the premisses day thereof is further
given to the said parties to hear their Judgment in this Court for that
the said Court yet are not &c —

At which said next Court to wit the 8th day of April Anno Dom.i 1718 Come again the
said parties pl.ff and def.t by their attorneys afs.d And whereupon all and singular
the premisses being by the Court here seen heard and fully understood and mature
deliberation being thereupon had — It is therefore Considered by the Justices
here the day & year last mentioned That the Judgm.t afs.d for the Errors in the said
in the record and proceedings being be reversed annulled and all together held for
none and that the said Andrew King to all things that thereby he shall lose be
restored &c — And also it is Considered by the Justices here the same day & year
that the said Andrew King recover ag.st the said Vincent Lamoley the Sum of
Pounds of tobo. by the Court here adjudged
unto him for his Costs and Charges by him upon the prosecution of his said writ
of Error laid out and expended, and that the said Andrew King have thereof his
Execution &c

J.B. D.D. Joseph Manning } The Justices of their Majtys County Court of Charles
& } Transmit to the Justices of the prov.ll Court of the
Wm: Wm Herbert — } Province of Maryland the following record On an Appeale
made by the said Joseph Manning from this County Court the
Tenor & whereof followeth in these words viz.t — Anno Dom.i 1718

Charles Cty ss — At a County Court for our Soveraigne Lady Queene by the Grace of God of
Great Brittain ffrance and Ireland Queene defender of the faith &c held at
Port Tobacco in said County on the Eleventh day of May in the twelfth yeare of the
Reigne of the Lady the Queene &c — — — Present the Worshipp.ll —

Cuthbt Hoy Esq.r
Wm Harbert Robert Yates
Thos Crabb — Gerrard Moore
Edmund Howard John Baden
Thos Stone Jordan Harrison Gent

Justices Authorized and Appointed &c. Doth Grant Power & Authority
In the Records of said Courts proceedings amongst Other things to Contained
viz.t —

Wm Harbert Esq.r } Trespass Case Vi.t Escape — Charles County ss
Joseph Manning Defft }

Joseph Manning Gent late high Sherr of Charles County was
Attached to Answer unto Wm Harbert of a plea of Trespass &ca Pl.ff &c
And whereupon the said Wm by Wm Stone his Attorney Complains that the

(Whereas)

Whereas One Humphry Harrington late of Charles County Blacksmith
the 26th Day of December in the yeare of our Lord One thousand Seven
hundred and four at Port Tobacco within the Jurisdiction of this Court was Indebted unto
the said Wm in the Sume of One thousand three hundred thirty and two
pounds of tobacco being for certain Parcels of Goods by the said Wm sold
Delivered to the Humphery and the said Humphery to said Wm Herbert in manner
as being in Debt to the said Wm Herbert the 26th day of January in the yeare of our
Lord 1709 did sue out of her Majtys Court of Charles County her Majtys Writt
Capias ad respondendum ag.st the said Humphry Harrington Directed to the said
Sheriff of Charles County by which Writt the said Sherr. was
by her Majtys Commande that he should take the Body of the said Humphry
Harrington if he should be found in his Baily which Writt Sheriff Kept so that
he should have his body before her Majtys Justices of Charles County
Court to be held at Port Tobacco on the Second Tuesday in March then
next Comeing to Answer unto the said Wm Herbert of a plea of trespass upon
the Case &c whereby the said Wm the said Sheriff should and before the Returne
thereof (as apt that is to say the 1st day of January aforesaid) procured to the said
Joseph the ensuing then Sheriff of the County to be by him the said Sherr
in Due Course of Law executed by Vertue of which Writt the said Joseph
Manning the then Sherr of Charles County afores.d and before the Second
Tuesday of March aforesaid at Portneuf in the County aforesaid the said Humphry
Harrington took and Arrested and him in his Custody then and there had and
detained for the Cause aforesaid Whereas the said Joseph Manning then
Sherr of Charles County his Duty and Sacred Oath for due and Just Accom-
plishment of the said Office of Sherr in that part to be performed & regarding
not minding and fraudulently intending wrong him the said Wm Herbert
in this behalf Craftily and Subtilly to Decease and defraud as aforesaid do
that is to say the 20th Day of July at Annapolis aforesaid him the said Humphry
Harrington so permitted and Suffered to Goe at Large whereas he would the
said Humphry debt aforesaid not Satisfyed without the Leave and Consent of
the said Wm to the manifest loss of the said Debt aforesaid and to the Damage of
the said Wm of 2670 lbs of tobacco Wherefore he brings his Suit &c
Pledges &c Thomas Dod
Richard Rose

And the said Joseph Manning by Daniel Dulany his Attorney Comes and
Defends the force and Injurie when &c and Submits to Judgm.t Pleads &
Says he is not Guilty of the Trespass and Escape aforesaid and of this he puts
himself upon the Country &c and the said Wm likewise — Whereupon all and
singular the premisses being by the Court here seen heard and fully understood and
mature deliberation being thereupon had — It is therefore Considered by the Justices
here the day & year last mentioned That the Judgm.t afs.d for the Errors in the said
Record and proceedings being be reversed annulled and all together held for
none and that the said Andrew King to all things that thereby he shall lose be
restored &c — And also it is Considered by the Justices here the same day & year
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Pounds of tobo. by the Court here adjudged
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