At which said next Court [illegible] day of July Anno Dom 1716 Come again the said parties Plff and Deft by their Attys aforesaid But for that the said Court the said parties not advised of their Judgm: of and upon the premisses the said Court yet are not advised of their Judgm: of and upon the premisses Given to the said Parties to here there of their Judgment until the next Court for that the said Court yet are not &c

At which said next Court held at the City of Annapolis the 11th day of Sept: Anno Dom 1716 Come again the said parties Plff and Deft by their Attys aforesaid But for that the said Court here are not advised of their Judgm: of and upon the premisses the Day there of is further Given to the said parties to here there of their Judgment until the next Court for that the said Court yet are not &c

At which said next Court held at the City of Annapolis the 9th day of April Anno Dom 1717 Come again the said parties Plff and Deft by their Attys aforesaid But for that the said Court yet are not advised of their Judgment of and upon the premisses the Day there of is further Given to the said parties to here there of their Judgment until the next Court for that the said Court yet are not &c

At which said next Court held at the City of Annapolis the 10th day of September Anno Dom 1717 Come again the said parties Plff and Deft by their Attys aforesaid But for that the said Court yet are not advised of their Judgment of and upon the premisses the Day there of is further Given to the said parties to here there of their Judgm: until the next Court for that the said Court yet are not &c

At which said next Court held at the City of Annapolis the 8th day of October Anno Dom 1717 Come again the said parties Plff and Deft by their Attys aforesaid But for that the said Court yet are not advised of their Judgment of and upon the premisses the Day there of is further Given to the said parties to here there of their Judgment until the next Court for that the said Court yet are not &c

At which said next Court held at the City of Annapolis the 8th day of April Anno Dom 1718 Come again the said parties Plff and Deft by their Attys aforesaid And whereupon the Jurors [illegible] and Singular the premisses being by the Court here fully heard and understood and mature deliberation being had thereupon it is thereupon ordered by the Justices here the day and year last mentioned that the Judgments aforesaid in the Errors aforesaid and others in the Record and Proceedings aforesaid mentioned and assigned be and altogether held for none and that the said Margaret Buller Admx: aforesaid do have execution against the said Richard Bordley for the Sume of [illegible] Pounds of Tobacco by the said Court here adjudged unto Her for her Costs and Charges by her upon the Prosecution of the said Error as aforesaid Obtained and Expended and that the said Margaret Buller Admx: aforesaid do have execution thereof for her Costs and Charges aforesaid &c

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Mr Mary Warner Exx: of Wm Downes } Mem: That the said Mary Warner Exx: as aforesaid and
Mr Walter Campbell } her Majtys Writt of Error the Tenor of which follows
in these words Viz:

Anne by the Grace of God of Great Brittain France and Ireland Queen Defendor of the Faith &c To Our Justices of Dorchester County Greeting Because in the Record and Proceedings Rendering of Judgment in a Plea of Trespass upon the Case which was in our said Court before Henry Emmalls and Others their Associate Justices of the same Court by your Writ between Walter Campbell Plff and Stephen Warner and Mary his Wife Exx: of the Last Will and Testament of Wm Downes late of Dorchester County Deceased Defts manifest Error hath intervened to the great Damage of the said Stephen Warner and Mary his Wife as by their Complaint we have received Wee being willing that the said Error if any there be should in Due manner be Corrected and full and Speedy Justice done to the Parties aforesaid in this behalf Command you that if Judgment be there of rendered then the Record and Proceedings aforesaid Wee will the same to be Certified under your Seal or Distinctly and Openly you send and this Writ So that wee may cause the same before us

(Justices)

Justices of our Provincial Court to be held at Annapolis the Second Tuesday in April next that the Record and Process aforesaid being inspected Wee further may cause to be done thereupon for the Correcting that Error what of Right and According to the Laws and Customs of our Kingdom of Great Brittain and this Our Province of Mary land shall be to be done In Testimony &c Seal at the City of Annapolis aforesaid this 23: day of October in the 15th Year of our Reign Anno Dom 1716

Edmd Bennett Regr
in Cancery

Bordley

At which said Second Tuesday in April to wit the 9th Day of the same Month Anno Dom 1717 The Justices of Dorchester County Court aforesaid having Issued forth their Writ of Error in Compliance therewith Make return thereof by Endorsement in these words Viz:

The answer of the Justices within mentioned The Record and process of the Plea therein mentioned is by Us made with all things touching the same before her Majtys Justices of the Provincial Court within mentioned at the Day within Contained as by the Schedule to this Writ Annexed also within we are Commanded

Signed Per Order Jno Hammond Dorchr County Clk

Dorchester County ss

A Certain Record Mentioned in the Return of the Writ of Error to the other side written before us in the Records of Dorchester County Court Amongst Other things Remaining of Record in the Court held for Dorchester County at the Town of Cambridge by her Majtys Justices of the peace the Eighth day of August in the Fourth Year of the Reign of our Sovereign Lady Anne by the Grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c Annoque Domini 1705 and then Continued until the Third day of the Same Month before

Mr Henry Emmalls
Mr John Rider
Mr Levin Hicks
Mr John Roe
Mr James Summan
Mr John Roe

Her Majesties Justices Present

Walter Campbell Pltff
Stephen Warner and Mary his Wife Exx: of the Last Will and Testament of Wm Downes late of the aforesaid County Deceased Defts

Be it Remembered that heretofore to wit at the Court aforesaid Holden for Dorchester County aforesaid at the Town of Cambridge on the Eighth day of August in the Fourth Year of the Reign of our Sovereign Lady Anne by the Grace of God of Great Brittain France and Ireland Queen Defender of the Faith &c Annoque Domini 1705 Came the said Walter Campbell by Mr Jno Leeds his Attorney and Complained unto the Justices aforesaid of the said Stephen Warner and Mary his Wife Exx: of the Last Will and Testament of Wm Downes late of Dorchester County aforesaid Deceased in the Plea of Trespass upon the Case And Whereupon the said Walter Campbell by his said Attorney Complained and Saith that whereas the said Wm Downes in his Life time and at the time of his Death was Justly Indebted to the said Walter Campbell in the Sum of 3216 lb of Tobacco and Caske due by Bill Single and Special bearing Date the 28th day of January Anno Dom 1706 and Entered in the Court Book of the aforesaid County Folio 128 Which Sume of 3216 lb of Tobacco and Caske the said Wm Downes in his Life time and at the time of his Death promised to pay unto the said Walter Campbell when he the said Wm Downes should be thereunto afterwards Requested Nevertheless the said Wm Downes in his Life time and at the time of his Death not regarding his Said Promise and Undertaking but Craftily and Subtilly Intending the said Walter Campbell in that behalf to Deceive and Defraud the said Sume of 3216 lb of Tobacco and Caske unto the said Walter Campbell he the said Wm Downes in his Life time and at the time of his Death hath not paid but only in part thereof the Sume of 1096 lb of Tobacco and Caske so that there is Due and Owing to the said Walter Campbell from the said Wm Downes the Sume of 2120 lb of Tobacco and Caske and Balance of the said Debt and Duty and the said Walter Campbell in his Life time hath Diverse and Many times after the Death of the said Wm Downes to wit at Dorchester County aforesaid Requested the said Stephen Warner and Mary his Wife Exx: as aforesaid in their said Capacity the aforesaid Sume of 2120 lb of Tobacco and Caske unto the said Walter Campbell to Satisfye Contented and Paid to be done the same at Dorchester County the Second day of February Anno Dom 1709 and at Several other times since have been thereunto required yet the Same to pay Hath Denyed and Still Doth Deny and Refuse Wherefore upon the said Walter Campbell Pltff hath Complained and Saith he is Damnified and Hath Lost 4320 lb of Tobacco and Caske thereupon he Brings Suit &c

John Doe
John Roe

Filed 9th Sept: 1718 Wm Rogers Cl Cur

(The)