the said Thomas Emms Remaineth against the said John Brannock wholly Undefended &c. —

Therefore it is considered here this day (to witt) June the fourteenth One thousand seven hundred and fifteen that the said Thomas Emms do recover agt the said John Brannock as well the Sum of Twelve pounds Sterling and two hundred Seventy One pounds of tobacco his Debt and Cost in the afsd writt of Scire fac. Mentioned As also the Summe of three hundred forty four pounds of Tobacco for his Cost and Charge in this behalf laid out and Expended &c. And the deft in Mercy &c. —

Whereupon the said John Brannock by Theodorus Bounds his Attorney afsd prays that he may have Liberty to Appeale from the said Judgmt to the Next Provll Court which to him is granted he first giveing Security to prosecute the same with Effect According to Law &c. —

Then Came into Open Court John Brannock togeather wth Joseph Collman and Edward Taylor his Sureties and Enters into Recognizance Joyntly and Severally unto the said Thomas Emms in the Sum of Twenty four pounds Sterl and five hundred and forty two pounds of Tobacco to be Levyed On their goods & Chattells lands and tenements with Condition that the said John Brannock Shall prosecute with Effect his Certaine Appeale now granted him at the Suite of the sd Thomas Emms and Act and do therein as is required in a Certain Act of Assembly in this province touching Appeals which On the part and behalf of the said John Brannock Ought to be done and performed by reason of the said Appeale granted as afsd from the Judgmt afsd Then the above ~~Obligation~~ Recognizance to be Void and of No Effect otherwise to remain in full force & Vertue &c. —

Cert. p G: Lookerman Clk of Dor. Co.ty Co.te

~~Attachment~~ And now here this day to witt the 13th day of September Anno Domi 1715 Comes the said John Brannock into his Majtys Provll Court by Wm Bladen his Attorney and Says that in the record and process afsd and also in the rendering of Judgment thereupon it is Manifestly Erred in this (to witt) —

1st In that the Scire fac. and return thereon is noways formall or According to the Course of the Law but lacketh Substance not referring to any Record of the Judgment obtained by the said Thomas Emms & is Stuffed with threats not Agreeable to the Nature of that writt —

2dly In that the Judgment is rendered for the said Thomas Emms to recover agt the said John Brannock as well the Summe of Twelve pounds Sterl and two hundred and seventy One pounds of tobacco his debt and Cost in the afsd writt of Scire fac. mentioned as also the Summe of three hundred forty four pds of Tobo for his Costs and Charge in this behalf laid out and Expended — Whereas it Should have been rendered that the said Thomas Emms Should have Execution agt the said Jno Brannock of the Debt and Damages afsd by default of the said Jno as Likewise for his Cost of Suite on that Scirefacias But by the Judgmt now rendered there is a double recovery of the Debt & Cost in the Scire fac. mentioned which is altogeather Vicious and Erroneous —

For which Errors afsd many more in the Record and process afsd being the sd John Brannock prays that the Judgmt afsd for those Errors and others in the Record and process afsd being may be reversed Annulled afsd altogeather held for None, And that he to those things wch by Occasion of that Judgment he hath lost may be restored, And that the afsd Thomas Emms to the Errors afsd may rejoyne &c. And that the Court of Our Lord the King here may proceed to the Examination as well of the Record and process afsd as the Matters above for Errors assigned &c. —

Whereupon the sd Thomas Emms by Daniell Hunt & Thomas Macnemara his Attorneys Appeared Says that in the Record and process afsd and also in rendering the Judgmt afsd thereupon it is in nothing Erred and prays that the same Judgmt may in all things be affirmed &c. —

And thereupon as well the afsd John Brannock as the said Thomas Emms by their Attorneys afsd pray that the Court here of the Lord the King will proceed as well to the Examination of the Record and process afsd as of the Matters above for Errors assigned &c. — Whereupon for that the said Court here is not advised of their Judgmt of and upon the premisses afsd day is given to the said parties to hear thereof their Judgmt untill Next Court for that the said Court yet are not &c. —

Att which said Next Court to witt the 4th day of May Anno Domi 1716 Come again the said Parties plt and deft by their Attorneys afsd But for that the said Court here as yet are not advised of their Judgmt of and upon the premisses afsd day thereof is further given to the said parties to hear thereof their Judgmt untill next Court for that the said Court yet are not &c.

Att which said Next Court to witt the 3d day of July Anno Domi 1716 Come again the sd parties plt and deft by their Attorneys afsd But for that the said Court here as yet are not advised of their Judgmt of and upon the premisses afsd day thereof is further given to the sd parties to hear thereof their Judgmt untill Next Court for that the said Court yet are not &c. —

Att which said Next Court to witt the 11th day of September Anno Domi 1716 Come again the sd parties plt and deft by their Attorneys afsd But for that the said Court here as yet are not advised of their Judgment of and upon the premisses afsd day thereof is further given to the sd parties to hear thereof their Judgmt untill next Court for that the sd Court yet are not &c.

(Att)

Att which said Next Court to witt the 9th day of Aprill Anno Domi 1717 Come again the said parties plt and deft by their Attorneys afsd But for that the said Court here as yet are not advised of their Judgment of and upon the premisses afsd day thereof is further given to the said parties to hear thereof their Judgm untill Next Court for that the said Court yet are not &c.

Att which said Next Court to witt the 10th day of Septr Anno Domi 1717 Come again the sd parties plt and deft by their Attorneys afsd But for that the sd Court here as yet are not advised of their Judgmt of and upon the premisses afsd day thereof is further given to the sd parties to hear thereof their Judgm untill Next Court for that the sd Court yet are not &c.

Att which said Next Court to witt the 7th day of October Anno Domi 1717 Come again the said parties plt and deft by their Attorneys afsd But for that the said Court here as yet are not advised of their Judgmt of and upon the premisses afsd day thereof is further given to the said parties to hear thereof their Judgmt untill Next Court for that the sd Court yet are not &c.

Att which said Next Court to witt the 8th day of Aprill Anno Domi 1718 Comes again as well the sd John Brannock by his Attorney afsd as the said Thomas Emms by his Attorney afsd — Whereupon for that it Seems to the Court here that in the Record and process afsd and also in the Rendering of Judgmt thereon it is in Nothing Erred —

It is therefore Considered by the Justices here the day and Year last Mentioned that the Judgment afsd be in all things affirmed and Stand in its full force and Effect — And further it's Considered that the afsd Thos Emms recover against the sd John Brannock the Summe of Pounds of
764 Tobacco to the same Thos Emms by the Court here adjudged According to the forme of the Statute thereof lately published & provided for his Costs and Charges and his damages which he has Sustained by Occasion of the delay of the Execution afsd by pretext of the prosecution of the Appeale afsd And that the sd Thos Emms have thereof his Execution —

JB Wm: William Douglass
vs
MH DD Matthias Vanderheyden

By Virtue of his Lordships Writt for Correcting of Errors in a Certaine Judgment Obtained by the said Matthias Vanderheyden agt the sd Wm Douglass in Cecil County Court — The Justices of the said Court Transmit to his Lordps Justices of the Provll Court here the following record Vizt —

Maryland ss. In the Records of Cecil County among other things is thus Contained Vizt —

Att a Court held for Cecil County the twelfth day of March in the first Year of the domn of the Rt Honble Charles Absolute Lord and proprietor of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c before his Lordsps Justices thereunto Authorized and Appointed and Continued the thirteenth fourteenth fifteenth Sixteenth and Seventeenth days of sd Month Anno Domi One thousand Seven hundred & fifteen —

Commrs Present —
Matthias Vanderheyden
Francis Mauldin
Jno Jawert
Jno Ward
Ephra Augustine Herman
Matthias Van Bebber
Gunning Bedford

Matthias Vandrn
vs
Wm Douglas —

Command was given to the Sherd of Cecil County the Seventeenth day of March Anno Domi One thousand Seven hundred & Sixteen that he take Wm Douglas of Cecil County Gent alias Dictus Wm Douglas of Cecil County in the Province of Maryland Gentn if found in his bailywick and him Safe keep so that he have his body before his Lordships Justices at the Next Court to be held for said County to answer unto Matthias Vanderheyden of Cecil County in sd Province of Maryland Merchant Of a plea that he render unto him the Sume of One hundred pounds of good and lawfull money of the province of Pensilvania of the Value of Sixty Six pounds thirteen Shillings & four pence Currt mony of Maryland which he unjustly detaines &c; Att which Next Court Vizt the twelfth day of June Anno Domi 1716 the day of the return of said Writt Came Roger Larramore high Sherif of said County and made returne thereof in these words following Vizt — Cepi Corpus p Rog Larramore Sher.

And the said Matthias Vanderheyden by Thomas Bowen his Attorney Moves the Court that the sd Wm Douglas may be Continued in the Sherrs Custody untill he find Speciall bayle to the said Action — Ordered therefore that Abell VanBurkeloo the then Sherf of said County keep the said Wm Douglas in Safe Custody untill he Should find Special bayle to said Action —

John Dowdall Clk

Matthias Vanderheyden on abond at the granting Special Bayle —

Whereupon Came into Court Thomas Browning and John OCahan of said County and became bayle and did undertake for the sd Wm Douglas the payment of the Debt and Costs of their goods and Chattels to be levyed to the use of the said plt if it should happen that the said plt Should Obtaine Judgmt agt the sd Wm Douglass in said Action of Debt And the said Wm the said Condemnation Should not Satisfie or himself to the Custody of ye Sherif of sd County deliver or that he the said Thos & John the body of the said Wm Should not render &c.

After which said Bayle taken the sd Wm Douglas by John Robbins his Attorney appeared and pray Liberty to Imparle untill the Next Court wch to him was granted the same day was given to the plt also the

the