which the aforesaid Thomas Hart to the same Daniel Dulany assignee as aforesaid on that day ought to have paid according to the form and effect of the said condition as the aforesaid Thomas Hart above hath alledged and this he prays may be enquired of by the Country and the aforesaid Thomas Hart in like manner and so forth.

Whereupon this cause standing for trial Command is given to the Sheriff of Ann Arundell County that he cause to come before the Judges of our General Court here on the second tuesday of October next twelve &c by whom &c and who neither &c to recognize &c because as well &c the same day is given to the said parties then and there &c.

At which said second tuesday of October being the fourteenth day of the same month Anno Domini seventeen hundred and eighty eight comes again as well the said Daniel Dulany assignee as aforesaid by his Attorney aforesaid as the said Thomas Hart by his Attorney aforesaid.

Nevertheless the aforesaid Thomas Hart by his Attorney aforesaid in relinquishing the averment above by him pretended says that he cannot deny the Action aforesaid of the aforesaid Daniel Dulany assignee as aforesaid so as aforesaid against him brought nor but that he owes to the aforesaid Daniel Dulany assignee as aforesaid the aforesaid sum of fourteen hundred pounds current Money in manner and form aforesaid so as the aforesaid Daniel Dulany assignee as aforesaid above against him hath declared

Therefore it is considered by the Judges here that the said Daniel Dulany assignee as aforesaid recover against the said Thomas Hart as well the sum of fourteen hundred pounds current money his Debt aforesaid in form aforesaid confessed as also the sum of Seven hundred and fifty two pounds and one fifth of a pound of tobacco by the Court here ado the said Daniel Dulany assignee as aforesaid on his assent 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 Defendant in Mercy &c.

Memorandum The Plaintiff releases the penalty on payment of the principal Interest and Costs of Suit He also agrees to stay execution untill the tenth day of February next

Test

John Gwinn Clk.

Afterwards to wit On the tenth day of February seventeen hundred and eighty nine the aforesaid Thomas Hart produced the State of Marylands writ of Error commanding the Judgment aforesaid to be transmitted to the High Court of Appeals (which said Writ of Error follows in these words to wit

Maryland ss. 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 of Debt brought by a certain Daniel Dulany assignee of Mary Thomas against Thomas Hart for the sum of fourteen hundred pounds current money to be released on the payment of Seven hundred pounds current money with Interest from the thirty first day of March one thousand seven hundred and eighty four and costs at a General Court held before you our said Judges at the City of Annapolis at October term last manifest Error as it is said has happened to the great damage of the said Thomas Hart as of his complaint we have received and we being willing that the Error if any there be should be duly corrected and full and speedy Justice done to the said Thomas Hart 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 the City of Annapolis on the first tuesday in May next that the record and process aforesaid being inspected into we may further do therein for the correcting that Error which of right and according to the laws and customs of this State may be done Witness the Honorable John Rogers Esquire Chancellor this 10th day of February Anno Domini 1789.

Samuel Harvey Howard Reg Cur Cancr

In pursuance whereof and also according to the form of the Act of Assembly in such case made and provided a Record of the Judgment aforesaid with all things thereunto relating is hereby transmitted to the States High Court of Appeals accordingly.

Test

John Gwinn Clk.

LM. B.I. Frederick Hawner's Lessee

against

Igs. David Shawn

Be it Remembered that heretofore to wit On the twenty second day of December in the year of our Lord one thousand seven hundred and eighty the plaintiff by Baker Johnson his Attorney sued out of the Court here the State of Marylands writ of Certiorari in the words and figures following to wit

The State of Maryland To the Justices and Clerk of Frederick County greeting We being willing for divers causes to be certified of the record and proceedings of a certain Action before you depending between Titus Justright lessee of Frederick Hawner plaintiff and David Shawhan defendant in a plea of Trespass and Ejectment command you the record and proceedings in the plea aforesaid with all things thereunto relating as far as before you it remains by whatsoever names the parties in the same are distinguished to our Judges of our General Court to be held at Annapolis the second tuesday of May next