shall be affirmed as well all and singular the Debt and Costs adjudged by the County Court aforesaid as also all Costs and damages that shall be awarded by the General Court then the above Obligation to be and remain in full force and within otherwise of no effect —

Signed, Sealed and Delivered in presence of us
Roger Johnson — A. Law

Nicholas White (Seal)
John Jacob Schley (Seal)
Andrew Law (Seal)

Which is approved of and it is ordered that the Proceedings in the action aforesaid together with all things thereunto relating be transmitted to the Honorable the Judges of the General Court aforesaid —

Test. William Ritchie Cl. —

In Testimony that the aforegoing is a true Copy of the Record and Proceedings in the action aforesaid, I have hereunto subscribed my name and affixed the publick seal of Frederick County Court the first day of October seventeen hundred and eighty seven —

(Seal of Fred. County Court)

Wm. Ritchie Clk —

At which said day, to wit, the said second Tuesday of October being the ninth day of the same Month, in the year of our Lord, one thousand seven hundred and eighty seven, comes into the General Court here, as well the said Nicholas White by Baker Johnson his Attorney, as the said James Smith by Richard Potts his Attorney — And thereupon on motion of the said James Smith by his Attorney aforesaid, It is ruled by the Court here, that the said Nicholas White assign the Errors in the record of proceedings between the said Nicholas White and the said James Smith before the Court here brought for correcting those Errors in the record and proceedings aforesaid supposed to be therein, or Judgment by the Court here will be entered against him in default thereof. Whereupon the said Nicholas White by his Attorney aforesaid comes and prays a day of Imparlance to the Errors aforesaid for the reversal of the Judgment aforesaid by him the aforesaid Nicholas White to be assigned until the second Tuesday of May next and then to assign those Errors for the reversal of the Judgment aforesaid in the record and proceedings aforesaid rendered. and to him it is granted the same day is given to the said James Smith also —

At which said second Tuesday of May being the thirteenth day of the same Month, in the year of our Lord, one thousand seven hundred and eighty eight, to which said day the said Nicholas White had leave to imparle and then to assign those Errors for the reversal of the Judgment aforesaid in the record and proceedings aforesaid rendered supposed to be therein — Comes again into the General Court here as well the said Nicholas White by his Attorney aforesaid as the said James Smith by his Attorney aforesaid and the said Nicholas White by his

Attorney aforesaid, Cometh and saith that in the Record and proceeds aforesaid and also in the giving Judgment aforesaid there is manifest error in this, to wit, that whereby the record aforesaid it appears that the Judgment aforesaid in the plea aforesaid given, was given for the said Nicholas White against the said James Smith, therefore in that there is manifest Error, and he prays that the Judgment aforesaid for that Error and others being in the Record and proceeds aforesaid may be reversed, annulled and wholly holden for naught and that the said Nicholas White may be restored to all that he has lost by occasion of the said Judgment and that the said James Smith may rejoin to the Errors aforesaid and so forth —

And the said James Smith by his Attorney aforesaid says there is no Error in the Record and Proceedings aforesaid or in the rendition of the Judgment aforesaid and prays likewise that the Court here may proceed to the examination as well of the Record and proceedings aforesaid as of the matters aforesaid by the said Nicholas White above for Errors assigned and that the said Judgment may be in all things affirmed and so forth — But because the Court here are not yet advised to give their Judgment of and upon the premises — day therefore is given to the parties aforesaid before the Court here until the second Tuesday of October next to hear their Judgment of and upon the premises, because the Court now here thereof are not yet advised &c.

And now at this day, to wit, the said second Tuesday of October being the fourteenth day of the same Month, in the year of our Lord, one thousand seven hundred and eighty eight, come again into the General Court here as well the aforesaid Nicholas White by his Attorney aforesaid as the said James Smith by his Attorney aforesaid — whereupon as well the Record and proceedings aforesaid and the Judgment given in same aforesaid as the matters aforesaid by the said Nicholas White above for Errors assigned being seen heard and fully understood by the Court and mature deliberation had thereupon; for that it appears to the Court here that there is no Error either in the Record and proceedings aforesaid or in giving the Judgment aforesaid — Therefore it is considered by the Court here, that the Judgment aforesaid given in same aforesaid be in all things affirmed — and it is further considered that the said James Smith recover against the said Nicholas White his Damages Costs and charges aforesaid so as aforesaid rendered in the said County Court of Frederick as also the Quantity of five hundred and fifty four pounds of Tobacco for his Costs and charges which he hath sustained by occasion of the delay of the Execution of the Judgment aforesaid by means of the prosecuting the said Writ of Error by the said Nicholas White and that he the said James Smith have thereof Execution and so forth —

Test John Guirn Clerk —