nor indirectly no more than Credit given to the best of his knowledge

Sworn before Peter Shepherd

And the said William Macfubbin by his said Attorney defends the force and injury when and so forth, and saith that he cannot deny the action of the said Richard Chenoweth, nor but that he the said William Maccubbin did assume upon himself in manner and form as the said Richard Chenoweth above thereof against him complains, nor likewise but that the said Richard Chenoweth hath sustained damages by reason of the non performance of the promise and assumption aforesaid to thirty five pounds five shillings current money as he the said Richard Chenoweth above by declaring supposes and upon this the said Richard Chenoweth prays Judgment and those damages so acknowledged together with his Costs and charges by him about his Suit in this behalf sustained to be adjudged to him, therefore it is considered that the said Richard Chenoweth do recover against the said William Mackubbin his damages aforesaid to the amount of thirty five pounds five Shillings Current money above acknowledged and also four hundred pounds of Tobacco for his Costs and charges aforesaid with his assent by the Court here now adjudged and the said William Mackubbin in Mercy and so forth &c

And now here afterwards, to wit, on the sixth day of April in the year of our Lord One thousand seven hundred and eighty seven, the said William Mackubbin produces to the Court of the County aforesaid the State of Maryland Writ of Error, Closed in the words and figures following viz.t Maryland ss. The State of Maryland, To the worshipfull the Justices of Baltimore County Court, Greeting. Because in the Record and Proceeds and also in the rendering of Judgment on a certain Action of Debt brought by Richard Chenoweth against William McCubbin for the sum of thirty five pounds five shillings Current Money and Costs of suit held before you our said Justices of Baltimore County Court March Term seventeen hundred and eighty seven, Manifest Error as it is said hath happened to the great damage of the said William Mackubbin as of his complaint we have received, and we being willing that the Errors if any there be should be duly corrected and full and speedy Justice done to the said William McCubbin in this behalf command you that if Judgment be thereof rendered, that then the record and proceeds 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 General Court at Annapolis the Second Tuesday in May next, that the Record and Proceeds 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 witnesse the Honorable John Rogers Esquire Chancellor this 5th day of April Anno Domini 1787 &c

Sam.l Hawey Howard Reg. Cur. Can

Whereupon the proceedings aforesaid are Ordered to be Transmitted Accordingly In Testimony whereof I have hereto set my hand and seal of office this twenty fifth day of April in the year of our Lord One thousand seven hundred and eighty eight — William Gibson Clk. Balt. Cty

(seal of Balt. County Court)

At which said day, to wit, the 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, comes into the General Court here as well the said William Maccubbin by David McMechen his Attorney, as the said Richard Chenoweth by Luther Martin his Attorney, And thereupon on motion of the said Richard Chenoweth by his Attorney aforesaid, It is ruled by the Court here, that the said William Maccubbin assign the Errors in the Record of Proceedings between the said William Maccubbin and the said Richard Chenoweth 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 William Maccubbin 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 said William Maccubbin to be assigned until the second Tuesday of October 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 Richard Chenoweth also &c

And now here 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, to which said day the said William Maccubbin 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 aforesaid William Maccubbin by his Attorney aforesaid as the said Richard Chenoweth by his Attorney aforesaid - whereupon as well the Record and proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said William Maccubbin 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 or in giving the Judgment aforesaid — Therefore it is Considered by the