the averment above by him pretended says that he cannot deny the action aforesaid of the aforesaid Thomas Contee so as aforesaid against him brought nor but that he owes to the said Thomas Contee the aforesaid sum of nineteen hundred and seventy pounds two shillings and six pence current money in manner and form aforesaid so as the aforesaid Thomas Contee above against him hath declared

Therefore it is considered by the Judges here that the said Thomas Contee recover against the said Robert Bowie as well the sum of nineteen hundred and seventy pounds two shillings and six pence current money his debt aforesaid in form aforesaid confessed as also the sum of seven hundred and fifty pounds and three fifths of a pound of Tobacco by the Court here into him on his assent adjudged as well for his damages sustained by occasion 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; and agrees to stay Execution untill the first day of August next; payments if any to be allowed —

Test John Gwinn Clk

Afterwards to wit On the thirty first day of July seventeen hundred and eighty nine the aforesaid Robert Bowie produced the State of Maryland's 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 brought by Thomas Contee against Robert Bowie for the sum of nineteen hundred and seventy pounds two shillings and six pence current money and costs to be released on the payment of with Interest thereon from the day of seventeen hundred and and costs at a General Court held before you our said Judges at the City of Annapolis at May Term last manifest Error as it is said has happened to the great damage of the said Robert Bowie 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 Robert Bowie 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 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 October next that the record and process aforesaid being inspected into we may farther do thereon 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 thirty first day of July. anno Domini seventeen hundred and Eighty nine.

Sam.l Harvey Howard Reg Cur Can

In pursuance whereof and according to the form of the act of assembly in such case made and provided a Transcript of the Judgment aforesaid with all things thereunto relating is hereby transmitted to the State's high Court of appeals accordingly —

Test John Gwinn Clerk

Ex.d

Ags. R P. Thomas Montgomery Pltf

&

G D. Thomas Gantt Junior

Be it Remembered that heretofore, to wit On the twenty first day of September Anno Domini Seventeen hundred and eighty seven the Plaintiff by Thomas Jenings and Richard Potts their Attorneys sued out of the Court here the State of Maryland's writ of Capias adresponsendum directed to the Sheriff of Prince Georges County in the words and figures following to wit —

The State of Maryland ss. To the Sheriff of Prince Georges County greeting We command you that you take Thomas Gantt the younger late of Prince Georges County Gentleman otherwise called Thomas Gantt Junr. of Prince Georges County and province of Maryland if he shall be found in your bailiwick and him safe keep so that you have his body before the Judges of our General Court to be held at the City of Annapolis on the second tuesday of October next to — answer unto Thomas Montgomerie, Cumberland Wilson and Adam Stewart of a plea that he render unto them the sum of twelve hundred and eighty seven pounds common money of Maryland which to them he owes and unjustly detains We hereof fail not at your peril and have you then and there this writ Witness Robert Hanson Harrison Esquire Chief Judge of our said the 25th day of May 1787.

Issued 21st Sept.r 1787. { T Jennings / R Potts } Thos B Hodgkin Clk

And the aforesaid Thomas Montgomerie, Cumberland Wilson and Adam Stewart by their attornies aforesaid come here into Court on this said second Tuesday of October being the ninth day of the same month anno Domini seventeen hundred and eighty seven and the day of the return of the aforegoing writ, and the Sheriff of Prince Georges County to wit Nicholas Blackloch Esquire to whom the same writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit

Capi Nich.s Blackloch Shff