the second tuesday of May next that our said Judges being rightly informed of the truth of the premises may further proceed therein as to Justice appertains and so forth and have you then and there this writ, Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 19th day of November Anno Domini 1787

Issued the 8 December 1787. Thomas B. Hodgkin Clk.

G. Duvall,

And it is thereupon Ordered by the same Court that all things relating to the premises be transmitted accordingly.

(Seal of Prince Georges County Court.)

In Testimony whereof that the aforegoing is a true Copy taken from the Record and proceedings of Prince Georges County Court I have hereunto set my hand and affixed the Publick seal of Office this twenty seventh day of February Seventeen hundred and Eighty eight.

John Read Magruder Clk of Prince Georges County Court

And now here at this same second tuesday of May being the thirteenth day of the same month Anno Domini Seventeen hundred and eighty eight comes into our General Court here as well the aforesaid James Jaffray by Michael Jenifer Stone his Attorney as the aforesaid John Smith Brookes by Gabriel Duvall his Attorney –

And the aforesaid John Smith Brookes by his Attorney aforesaid prays leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the fourteenth day of October Anno Domini Seventeen hundred and eighty eight comes again as well the aforesaid James Jaffray by his Attorney aforesaid as the aforesaid John Smith Brookes by his Attorney aforesaid, And the aforesaid John Smith Brookes by his Attorney aforesaid says that he did not assume upon himself in manner and form aforesaid as the aforesaid James Jaffray above against him hath complained, And of this he puts himself upon the Country, and the aforesaid James Jaffray doth so likewise.

Whereupon this cause standing ready for trial Command is given to the Sheriff of Ann Arundel County that he cause to come before the Judges of our General Court here on the second tuesday of May 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 May being the twelfth day of the same month Anno Domini Seventeen hundred and eighty nine comes again as well the aforesaid James Jaffray by his Attorney aforesaid as the aforesaid John Smith Brookes by his Attorney aforesaid –

Nevertheless the aforesaid John Smith Brookes by his Attorney aforesaid relinquishing the warrant above by him pretended says that he cannot deny the action aforesaid of the aforesaid James Jaffray so as aforesaid against him brought nor but that he did assume upon himself in manner and form as the aforesaid James Jaffray above against him hath complained nor likewise but that the said James Jaffray hath sustained Damage by reason of the non performance of his promise and assumption aforesaid to one hundred and fourteen pounds thirteen Shillings and four pence current Money with Interest thereon from the twenty second day of May Seventeen hundred and Eighty four, And because the aforesaid James Jaffray does not gainsay but that the allegation aforesaid is true he 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 &c –

Therefore it is considered by the Judges here that the said James Jaffray recover against the said John Smith Brookes as well the sum of one hundred and fourteen pounds thirteen Shillings and four pence current Money with Interest thereon from the twenty second day of May Seventeen hundred and eighty four his damages aforesaid in form aforesaid confessed as also the sum of nine hundred and thirty one pounds of Tobacco by the Court here unto him on his assent adjudged 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 agrees to stay Execution untill the first day of August next

Test

John Gwinn Clk.

Afterwards to wit On the first day of August Seventeen hundred and eighty nine the aforesaid John Smith Brookes produced the State of Mary lands 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 Mary land. 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 James Jaffray against John Smith Brookes for the sum of one hundred and fourteen pounds thirteen Shillings and four pence current Money with legal Interest thereon from the twenty second day of May seventeen hundred and eighty four 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 John Smith Brookes 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 John Smith Brookes in this behalf Command you that if Judgment be thereof rendered that then