John Smith Brookes 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 Annapolis the first tuesday in October 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 Honourable John Rogers Esquire Chancellor this 31st day of July Anno Domini 1789. —

Samuel H. Howard Reg Cur Can.

In pursuance whereof & 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 States High Court of Appeals accordingly

35. Ed. Test John Gwinn Clk —

John Dorsey for use of **Thomas Usher's** Exors against **Samuel Boggess & Thomas Beatty** —

Be it remembered that heretofore towit On the fourteenth day of March Anno Domini seventeen hundred and eighty eight the Defendants by Joshua Dorsey their Attorney sued out of the Court here the State of Maryland a writ of Certiorari directed to the Justices and Clerk of Frederick County in the words and figures following to wit —

The State of Maryland Sc. To the Justices and Clerk of Frederick County Greeting We being willing for certain causes to be certified of the Record and proceedings of a certain Action before you depending between John Dorsey for Ushers executors plaintiff and Samuel Boggess and Thomas Beatty Sheriff Defendants of a plea of Debt and so forth We command you that the Record and proceedings in the Action aforesaid with all things thereunto relating as far as before you it remains by whatsoever name the parties in the same are distinguished to our Judges of the General Court to be held at Annapolis the second tuesday of May next under your hands and seals you send together with this writ that our Judges may further do therein that which of right they see ought to be done &c. Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 19th day of November Anno Domini 1787.

Issued the 14th day of March 1788. J. D. Thos. B Hodgkin Clk

And now here at this day towit the said second tuesday of May being the thirteenth day of the same month Anno Domini seventeen hundred and eighty eight and the day of the return of the aforegoing writ the Justices and Clerk of Frederick County to whom the same writ was made and directed transmitt to the Judges of our General Court here the following Record towit — Maryland Frederick County towit At a County Court begun and held at Frederick Town in and for the County aforesaid on the third tuesday of March in the year seventeen hundred and eighty eight —

Were Present				
The Worshipfull	Upton Shrudens	William M. Beall	William Maquire	Gentlemen Justices in
	William Beatty	William Luckett	Henry Darnall	and for the County afd
	Jacob Young	John Rose Key	George Murdock	duly authorized & assigned
	James Johnson	George Scott	John Gwinn	and so forth

Thomas Beatty Gent. Sheriff — William Ritchie Clk.

Amongst others are the following proceedings towit

John Dorsey for the use of **Thomas Usher's** Exors against **Samuel Boggess & Thomas Beatty** —

Removed by Certiorari, Memorandum the Plaintiff sued out a writ of Scire facias the Tenor whereof follows in these words towit; Frederick County towit The State of Maryland To the Coroners of Frederick County Greeting, Whereas on the nineteenth day of August in the year seventeen hundred and eighty five before William Murdock Beall and William Luckett Gentlemen two of the Justices of Frederick County Court Samuel Boggess, Thomas Beatty and Richard Gartrill did confess Judgment to John Dorsey for the sum or quantity of seven thousand and nine hundred pounds of Crop tobacco debt and three hundred and eighty eight pounds of tobacco costs whereof the said Samuel Boggess, Thomas Beatty and Richard Gartrill are convicted as by their confession thereof in our County Court before our Justices at Frederick Town in the County aforesaid remaining manifestly appears and now on the part of the said John Dorsey in our said Court we have understood that although Judgment hath been confessed as aforesaid yet execution of that Judgment for the Debt and Costs aforesaid still remains to be made to him — wherefore the said John Dorsey hath besought us to grant him proper remedy in this part & we being willing what is just in this part should be done command you that by good and lawfull men of your bailiwick you make known unto the aforesaid Samuel Boggess Thomas Beatty and Richard Gartrill that they be and appear before the Justices of our next County Court to be held for the County aforesaid at the Court House in the same County on the third tuesday in August next to shew if any thing for themselves they have or can say why the said John Dorsey execution against them of the Debt and costs aforesaid to have ought not according to the force form and effect of the confession aforesaid if to them it shall seem meet and further to do and perceive all and singular such things as our said Justices of and concerning them then and there shall consider in this part and have you then there the names of those by whom you shall make the same known unto them and this writ, Witness the Worshipful William Beatty presiding Justice of our said Court the 30th day of June 1787. Issued the 21st day of July 1787. (R Potts) Wm. Ritchie Clk.

At which said third tuesday of August being the twenty first day of the same month in the year seventeen hundred and eighty seven and the day of the return of the aforegoing recited writ comes the said John Dorsey by Richard Potts his Attorney and the Coroners of Frederick County to whom the same writ was directed also comes and makes return thereof to the Court here thus endorsed towit, Scifi, Boggess & Beatty, Nihil, Gartrill, Wm. Beatty Coroner. And the aforesaid Samuel Boggess and Thomas Beatty by Joshua Dorsey their Attorney come and defend the force and injury when and so forth and pray leave to imparle hereunto until the next Court and they have it the same day is given to the Plaintiff also. At which said next Court towit the third tuesday and twentieth day of november seventeen hundred and eighty seven come again the said parties Plaintiff and Defendants by their Attorneys aforesaid and the said Defendants by their Attorney aforesaid pray further leave to imparle hereunto until the next Court and they have it, the same day is given to the Plaintiff also, And now here at this day towit the third tuesday and eighteenth day of March seventeen hundred and eighty eight comes again as well the said John Dorsey

by