Court at October Term 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 twenty second day of August Anno Dominii 1789.

Saml. Harvey Howard Reg Cur Can

At which said second Tuesday of October being the thirteenth day of the same month Anno Dominii seventeen hundred and eighty nine and the day of the return of the aforegoing writ of Error the Justices of Calvert County to whom the said writ of Error was made and directed in Compliance with the said writ and according to the form and effect of the act of Assembly in such Case made and provided make return thereof to the Court here thus endorsed, to wit.

Calvert County Ss. By Virtue of the within writ the record and proceedings of the plaint and Judgment thereof in the writ within mention is made with all things touching them.

To the Honourable the Judges of the General court we do send

Test J. Morsell Senr. Clk.

To which aforegoing writ of Error and return was annexed the following Record to wit.

Maryland, Ss. At a County court begun and held at Prince Frederick Town in and for Calvert County on the Monday before the third Tuesday in April being the twentieth day of the same month Anno Dominii 1789.

Present Samuel Chew.

Joseph Wilkinson | William H. Reynolds &
Levin Mackall | Thomas Harwood 3rd.

Gentlemen Justices by Commission of the State of Maryland legally authorized assigned &c.

John Brooke Gent. Shff. James Morsell Senr. Clk

Were the following proceedings vizt.

B.H. John Weems and William Stewart admrs of Walter Magowan
a
W.H. Gavin H. Smith.

Command was given to the sheriff of Calvert County that he should take Gavin H. Smith late of Calvert County planter otherwise called Gavin H. Smith of Calvert County if in his bailiwick he should be found

found and him should safe keep so that he might have his body before the Justices of our County Court to be held at Prince Frederick Town in the County aforesaid the Monday before the third Tuesday in June then next to answer unto John Weems and William Stewart administrators of all and singular the Goods and Chattels Rights and Credits which were of Walter Magowan deceased at the time of his death who died Intestate as it is said of a plea that he render unto them the full and just sum of one hundred and eight pounds nineteen shillings and five pence Sterling, money of the value of one hundred and eighty one pounds twelve shillings and four pence farthing Current money which from them he unjustly detains and so forth and that thereof he the said should not fail at his peril and should have then and there that writ &c.

And the said John Weems and William Stewart declares against the said Gavin H. Smith in the plea aforesaid as follows to wit.

Calvert County Ss. Gavin H. Smith late of Calvert County Gentleman otherwise called Gavin H. Smith of Calvert County Gentleman was summoned to answer unto John Weems and William Stewart administrators of all and singular the Goods and Chattels Rights and Credits which were of Walter Magowan deceased at the time of his death who died Intestate as it is said of a plea that he render unto them the full and just sum of one hundred and Eight pounds nineteen shillings and five pence Sterling money of the value of one hundred and Eighty one pounds twelve shillings and four pence farthing Current money which from them he unjustly detains and so forth.

And whereupon the said John and William by Benjamin Harrison their attorney say that whereas the aforesaid Gavin Hamilton Smith on the twenty fifth day of April in the year of our Lord seventeen hundred and eighty six at Calvert County aforesaid to wit at Anne Arundel County by his certain writing obligatory acknowledged himself to be held and firmly bound unto him the aforesaid Walter in his life time in the aforesaid sum of one hundred and eight pounds nineteen shillings and five pence sterling to be paid unto the said Walter wher afterwards he should be thereunto required. And the said John and William in fact say that the aforesaid sum of one hundred and eight pounds nineteen shillings and five pence Sterling was at the time of making the writing

obligatory