in the Record and proceedings aforesaid or in the rendition of the Judgment aforesaid and prays likewise that the Court here may proceed to the examination as well of the record and proceedings aforesaid as of the matter aforesaid by the said Hezekiah Reeves above for error assigned and that the Judgment aforesaid may be in all things affirmed, But because the Court here are not yet advised to give their Judgment of and upon the premises day therefore is given to the parties aforesaid until the second tuesday of October next to hear their Judgment of and upon the premises because the Court here thereof not yet &c.

At which said second tuesday of October being the thirteenth day of the same Month Anno Domini seventeen hundred and eighty nine comes again as well the said Hezekiah Reeves by his attorney aforesaid as the said James Middleton by his attornies aforesaid But because the Court here are not yet advised to give their Judgment of and upon the foremises day therefore is further given to the parties aforesaid until the second tuesday of May next to hear their Judgment of and upon the premises because the Court here thereof not yet &c.

At which said second tuesday of May being the eleventh day of the same month Anno Domini seventeen hundred and ninety comes again as well the said Hezekiah Reeves by William Hammond Dorsey and Philip Barton Key his attornies as the said James Middleton by Michael Jenifer Stone and William Cooke his attornies.

Whereupon all and singular the premises being seen and by the Court now here more fully understood and mature deliberation being thereon had because it seems to the Court now here that there is manifest error in the record and proceedings aforesaid and also in the rendition of the Judgment aforesaid, It is considered that the Judgment aforesaid for those errors and others in the record and proceedings aforesaid be revoked annulled and held intirely as void and that the said Hezekiah Reeves be restored to all things which he has lost by reason of the Judgment aforesaid &c.

And at the prayer of the parties aforesaid Plaintiff and Defendant by their attornies aforesaid It is ordered by the Court here that the Record and proceedings between the said parties in the plea aforesaid be remitted to our next County Court of Charles County there and there for further trial &c.

In pursuance whereof a transcript of the record and proceedings between the parties aforesaid are hereby transmitted to the Justices of Charles County Court accordingly.

Seal of the General Court

In Testimony that the aforegoing is a true copy from the Record of proceedings of the General Court for the Western Shore of the State aforesaid between the parties aforesaid I have hereunto set my hand and affixed the seal of my Office this 24th day of July Anno Domini 1790. John Gwinn Clk. G.C. W.S. M.D.

And now at this day to wit, the Monday before the second Tuesday in September being the thirteenth day of the same month anno Domini seventeen hundred and ninety comes into Court here the aforesaid Hezekiah Reeves by Philip Barton Key his attorney and suggests to the Court here the death of the aforesaid James Middleton and also suggests to the Court here that a certain Ignatius Middleton of Charles County aforesaid is the acting executor of the aforesaid James Middleton deceased, Whereupon the said Hezekiah Reeves by his said attorney prays a precept of our said Court directed to the Sheriff of our County aforesaid commanding the said Ignatius Middleton acting Executor of the aforesaid James Middleton that he be and appear before the Justices of our said Court to answer unto the said Hezekiah Reeves in the plea aforesaid and it is granted him, Whereupon the said Cause is continued until next Court.

At which said next Court to wit the third Monday in April being the eighteenth day of the same Month Anno Domini seventeen hundred and ninety one comes again the said Hezekiah Reeves by his attorney aforesaid And now here also comes the said Ignatius Middleton acting Executor of the aforesaid James Middleton by William Brack his attorney and the said Ignatius Middleton executor as aforesaid by his attorney aforesaid defends the force and injury when and soforth, Whereupon the Trial of this cause is by order of the Court here and for special reasons to the Court here shown continued until next Court.

At which said next Court to wit the third Monday in September being the nineteenth day the same month Anno Domini seventeen hundred and ninety one come again the parties aforesaid Plaintiff and Defendant by their attorneys aforesaid and the said Hezekiah Reeves by his said attorney files in Court here the following Affidavit, to wit,

Charles County, to wit, On the twenty sixth day of Sept. 1791. came Hezekiah Reeves before me one of the Associate Justices of Charles County and made oath on the holy Evangels of almighty God, that he obtained a summons out of Charles County Court for a certain Ignatius Taylor of Washington County to testify in a Cause depending in the said Court between the said Hezekiah Reeves Plaintiff and Ignatius Middleton defendant, that he considers the said Ignatius Taylor as a material Witness in the Cause and that he cannot go safely to Trial without the Benefit of his Testimony.

Sworn before. Geo. Lee

Whereupon the Trial of this cause is on the affidavit aforesaid continued until next Court.

At which said next Court, to wit, the third Monday in March being the nineteenth day of the same month Anno Domini seventeen hundred and ninety two come again the Parties aforesaid Plaintiff