they have not &c. then the costs of suit aforesaid to be levied of the proper goods and chattels of the said William Hammond and John Stevenson and therefore in this there is manifest error; and therefore prays that the said Judgment for the error aforesaid and others being in the record and proceedings aforesaid, may be reversed, annulled and held as entirely void, and that he may be restored to all things which by the occasion of the Judgment aforesaid he hath lost: and that the said William Hammond and John Stevenson to the errors aforesaid may rejoin and that the Court here may proceed to the Examination as well of Record and proceedings aforesaid as of the matter aforesaid above assigned for error &c.—

And the said William Hammond and John Stevenson Execrs aforesaid say that there is no error in the record and proceedings aforesaid, or in the rendition of the Judgment aforesaid and pray likewise that the Court here may proceed to the examination as well of the Record and proceedings aforesaid as of the matters aforesaid by the said John Lee Webster above for error assigned and that the Judgment aforesaid may be in all things affirmed &c but because the Court here are not advised to give their Judgment of and upon the premises, day therefore is given to the parties aforesaid before the Court here until the second Tuesday of May next, to hear their Judgment of and upon the premises because the Court now here thereof are not yet advised &c.—

At which said second Tuesday of May being the fourteenth day of the said Month, in the year of our Lord one thousand seven hundred and ninety Three comes again into the General Court here, as well the aforesaid John Lee Webster by his attorney aforesaid, as the said William Hammond and John Stevenson Executors aforesaid, by their attorney aforesaid;— Whereupon as well the record and proceedings aforesaid, and the Judgment given in form aforesaid, as the matters aforesaid by the said John Lee Webster above for error assigned, being seen and fully understood by the Court here, and mature deliberation had thereupon, for that it appears to the Court here, that in the record and proceedings of the rendition of the Judgment aforesaid, it is manifestly erred; Therefore it is considered by the Court here, that the Judgment aforesaid, in form aforesaid given, be revoked, annulled, and held entirely as void, and that the said John Lee Webster be restored to all things which by reason of the Judgment aforesaid he hath lost; And thereupon the Court here pursuant to the

the directions of the act of assembly in such case made and provided, order and direct a remission of the record and proceedings aforesaid to the Clerk of the said County Court of Baltimore, with the writ of the State of Maryland of procedendo to the said County Court, directing them to proceed in the action aforesaid, and to a new trial thereof, in the same manner as if no trial had taken place, or any appeal had been prosecuted, It is also considered by the Court here, that the said John Lee Webster recover against the said William Hammond and John Stevenson Executors aforesaid the quantity of eleven hundred and twenty four pounds of Tobacco for his costs and charges by him laid out and expended about his prosecution of the appeal aforesaid, and that he have thereof his execution, &c. the record and proceeds aforesaid, with the said Writ of procedendo, is therefore remitted to the Clerk of the County Court of Baltimore accordingly, &c.—

Test. John Gwinn Clk.

Jesse Duvall against John Petty

Be it remembered, that heretofore, to wit, on the seventh day of March in the year of our Lord one thousand seven hundred and ninety two the said Jesse Duvall by Gabriel Duvall and William Pitty his attornies prosecuted and sued out of the high Court of Chancery of the State of Maryland the writ of the State of Maryland of error, directed to the honourable the Chief Justice and associate Justices of Prince Georges County Court, in the words and of the Tenor following to wit.—

Maryland ss. The State of Maryland to the worshipful the justices of the peace of Prince Georges County Greeting. because in the record and process and also in the rendering of Judgment on a certain action brought by John Petty against Jesse Duvall for seventy one pounds eleven shillings and three pence current money and three hundred and thirty seven pounds and two fifths Tobacco lost at a County Court held before you our said Justices at Prince Georges County. Manifest error error as it is said has happened to the great Damage of the said Jesse Duvall 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 Jesse Duvall 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