John Petty his action aforesaid thereof against him to have ought he.

And the said John Petty, by his attorney aforesaid, saith that he by any thing by the said Jesse Duvall in pleading alledged from having his action aforesaid, ought not to be precluded because he saith that the aforesaid Jesse Duvall hath not paid to him the said John Petty the aforesaid sum of current money with Legal Interest thereon which to him he ought to have paid according to the form and effect of the said condition as the aforesaid Jesse Duvall above in pleading hath alledged, and this he prays may be enquired of by the country. and the said Jesse Duvall in like manner &c.

Whereupon this cause standing ready for Trial further process of. and upon the premises aforesaid, between the Parties aforesaid by consent of the said Parties and their attorneys aforesaid and by order of the Court here thereon is continued unto next Court.

At which said next Court, to wit, the Monday before the fourth Tuesday in June in the year seventeen hundred and ninety (aforesaid here come again the parties aforesaid by their attorneys aforesaid and the said Jesse Duvall by his attorney aforesaid relinquishing the averment aforesaid above by him pretended. saith that he cannot gain say the action aforesaid of the said John Petty so as aforesaid against him brought nor can he deny, but that he owes to the said John Petty the aforesaid sum of seventy one pounds eleven shillings and two pence current money in manner and form as the said John Petty against him hath Declared.

Therefore it is Considered by the Court here that the said John Petty recover against the said Jesse Duvall his Debt aforesaid in form aforesaid acknowledged. And also the quantity of three hundred and thirty seven pounds, and two fifths of a pound of Tobacco as well for his damages which he hath sustained by reason of the detention of that debt as for his costs and charges by him about his suit in this behalf laid out and expended to the said John Petty by the Court here (with his assent) adjudged. And the said Jesse Duvall in mercy &c.

Memorandum. The Plaintiff agrees to release the penalty on payment of Thirty five pounds fifteen shillings and seven pence current money with Interest thereon from the twenty fourth day of December 1787. and costs.

(Test. John R. Magruder Clk.

Afterwards to wit, on the seventh day of April seventeen hundred and

ninety two the said Jesse Duvall produced the States writ of error commanding the record and Process aforesaid with all things thereunto relating to be transmitted to the General Court the tenor whereof ensued in the following Words to wit.

Maryland ss. The State of Maryland. To the worshipfull 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 Cost at a County Court held before you our said Justices at Prince Georges County. Manifest 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 had before the Judges of our General Court at Annapolis the second Tuesday in May 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 Honorable Alexander Contee Hanson Esquire Chancellor this 7th day of March 1793.

Samuel Harvey Howard. Reg. Cur. Can.

Whereupon a Transcript of the Record of proceedings on the premises aforesaid together with the writ of error annexed is hereby transmitted accordingly. Test. John R. Magruder Clk.

Prince Georges County ss. In Testimony that the aforegoing is a true Copy taken from the Records and proceedings of Prince Georges County Court. I have hereunto set my hand and affixed the seal of my Office this twenty third day of April 1793.

Seal of Prince Georges County Court

John Read Magruder Clerk of Prince Georges County Court

And now at this day comes into the General Court here, as well the said Jesse Duvall by Gabriel Duvall and William Pitts his attornies aforesaid, as the said John Petty by William Brooke and Richard Sprigg his attornies; and thereupon, on motion of the said John Petty by his attorney aforesaid, it is ruled by the Court here, that