they are read unto him, which being read and heard the said Charles Burgess saith, that the said Uriah Forrest and Benjamin Roddert their Action aforesaid against him to have and maintain ought not, because he saith that he hath paid to them the said Uriah Forrest and Benjamin Roddert the said sum of fifty seven pounds seventeen shillings and four pence Current money with legal Interest thereon according to the form and effect of the said Condition, to wit, at Prince Georges County aforesaid, and this he is ready to verify wherefore he prays Judgment if the said Uriah Forrest and Benjamen Roddert their Action aforesaid against him to have and maintain ought &c.

And the said Uriah Forrest and Benjamin Roddert by their Attorney aforesaid say that they by anything by the said Charles Burgess in Pleading alledged from having their Action aforesaid thereof against him ought not to be precluded because they say that he the said Charles Burgess hath not paid and satisfied to them the said Uriah Forrest and Benjamen Roddert the sum of money in the Condition of the writing Obligatory aforesaid mentioned with the legal Interest thereon which the said Charles Burgess ought to have paid according to the form and effect of the said Condition as the said Charles Burgess in Pleading hath alledged and this they pray may be enquired of by the Country and the said Charles Burgess likewise &c. Therefore let a Jury thereon come before the Justices of our next County Court by whom &c. who neither &c. to recognize &c. because as well &c. the same day is given the Parties aforesaid here &ca.

At which said next Court, to wit the first Monday in September in the year last aforesaid here come again the Parties aforesaid by their Attornies aforesaid And the said Charles Burgess by his Attorney aforesaid relinquishing the averment aforesaid by him pretended saith that he cannot gainsay the Action aforesaid of the said Uriah Forrest and Benjamin Roddert so as aforesaid against him brought nor can he deny but that he oweth unto them the said Uriah Forrest and Benjamin Roddert the aforesaid sum of ninety five pounds fourteen shillings and eight pence Current money in manner and form as the said Uriah Forrest and Benjamin Roddert in their Declaration aforesaid against him complain.

Therefore it is considered by the Court here that the said

said Uriah Forrest and Benjamin Roddert do recover against the said Charles Burgess as well the sum of ninety five pounds fourteen shillings and eight pence Current money their debt aforesaid in form aforesaid confessed, as also the sum of one shilling and ten pence halfpenny Current money and the quantity of four hundred and twenty four pounds of Tobacco as well for their damages which they have sustained by reason of the detention of that debt as for their Costs and Charges by them about their Suit in this behalf laid out and expended by the Court here unto the said Uriah Forrest, and Benjamen Roddert with their Assent adjudged, and the said Charles Burgess in Mercy &c.

Memo The Plaintiffs agree to release the Penalty on payment of forty seven pounds seventeen shillings and four pence Curr.t money with Interest from the 8th March 1791 & Costs

Test. John R Magruder. Clk

Afterwards, to wit, on the sixteenth day of July in the year seventeen hundred and ninety three the said Charles Burgess produced the State of Marylands Writ of Error commanding the record and Process in the Premises aforesaid with all things thereunto relating to be transmitted to the Judges of the General Court to be held at the City of Annapolis on the second Tuesday in October next, the Tenor of which Writ ensues in the words following, to wit.

Maryland ss. The State of Maryland, To the Worshipfull the Chief Justice and Associate Justices of Prince Georges County Court, Greeting: Because in the Record and Process and also in the rendering of Judgment in a certain Action brought by Uriah Forrest and Benjamin Roddert against Charles Burgess, for as much the sum of ninety five pounds fourteen shillings and eight pence Current money to be released on payment of forty seven pounds seventeen shillings and four pence Current money with Interest from the eight day of March seventeen hundred and ninety one, as also one shilling and ten pence halfpenny and four hundred and twenty four pounds of Tobacco costs of Suit at a County Court held before you our said Justices at Prince Georges County April Term seventeen hundred and ninety three, manifest error as it is said hath happened to the great damage of the said Charles Burgess 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 Charles Burgess in this behalf command you that if