directed, makes return thereof to the Court here thus endorsed to wit:

Scirifeci. Sol.° Holland Sheriff.

Whereupon, comes into the General Court here the said Charles Lansdale by William Kilty his Attorney and saith, that in the Record and proceedings aforesaid and also in the giving of Judgment aforesaid, there is manifest error in this, to wit, that by the Record aforesaid it appears, that the Judgment aforesaid in the plea aforesaid given, was given for the said John Davidson against the said Charles Lansdale, when by the law of the Land that Judgment ought to have been given for the said Charles Lansdale against the said John Davidson therefore in that there is manifest Error, and he prays that the Judgment aforesaid for that error, and others being in the Record and proceedings aforesaid, may be reversed, annulled and held entirely as void, and that he the said Charles Lansdale may be restored to all that he has lost by occasion of the said Judgment and that the said Eleanor Davidson administratrix as aforesaid may rejoin to the Errors aforesaid and so forth. — And the said Eleanor Davidson administratrix as aforesaid by her Attorney aforesaid says, there is no error in the Record and proceedings aforesaid or in the rendition of the judgment aforesaid, and prays 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 Charles Lansdale above for Errors assigned, and that the said judgment may be in all things affirmed, and so forth. 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, and so forth. — And now at this day to wit, the said second tuesday of May in the year of our Lord One thousand seven hundred and ninety five, come again into the General Court here as well the said Charles Lansdale by his Attorney aforesaid as the said Eleanor Davidson administratrix as aforesaid by her Attorney aforesaid. Whereupon, as well the Record and proceedings and the Judgment given in form aforesaid, as the matters aforesaid by the said Charles Lansdale above for Error assigned, being seen and fully

(understood)

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, as to the opinion and direction of the said County Court to the Jury, as stated in the Bills of Exceptions, it is manifestly erred; therefore it is considered by the Court here, that the Judgment aforesaid, in form aforesaid given, as stated in the said Bills of Exceptions, be reversed, annulled and held entirely as void, and that the said Charles Lansdale be restored to all things which by reason of the Judgment aforesaid he hath lost; — And because it clearly appears to the Court here that Justice and the merits of this case require that there should be a new trial of the issue aforesaid, thereupon the Court here, pursuant to 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 Montgomery with the writ of the State of Maryland of procendendo 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 Charles Lansdale recover against the said Eleanor Davidson administratrix as aforesaid the quantity of seven hundred and forty eight 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, to be levied of the goods and chattels which were of the said John Davidson at the time of his death in the hands of the said Eleanor Davidson remaining, to be administered, if so much thereof in her hands to be administered she hath the Record and proceedings aforesaid with the said writ of Procedendo is therefore remitted to the clerk of the County Court of Montgomery accordingly and so forth.

Test. John Gwinn Clerk.

Daniel Moores against John Hay and Martha his Wife	Be it remembered that heretofore to wit, on the Twenty seventh day of February in the year of our Lord One thousand seven hundred and ninety four, John Hay and Martha his Wife by John Montgomery their attorney prosecuted and sued forth out of

the General Court here, the writ of the State of Maryland of Artiorari,

(directed)