him for his subscription to Saint Johns College that the said Chew answered this Deponent that he would pay it that summer, but did not think it could be recovered from him and this Deponent further sayeth that on or about the 16th. day of April 1794 he applied to Joseph Sprigg for the payment of the money due from him for his subscription to the aforesaid College that the said Sprigg told this Deponent he would pay it soon and this Deponent further saith that he applied to the said Sprigg once or twice after the aforesaid 16th. of April 1794 and that said Sprigg always Promised to pay soon.

Sworn to the 18th. day of April 1794.

At the House of Archibald Golder in Annapolis
before Allen Quynn.

Ann Arundel County ss. I hereby Certify that Allen Quynn before whom the aforesaid Deposition was made was at the time of making the same and still is a Justice of the Peace in and for the County aforesaid and to all Certificates by him given as such due faith and Credit is and ought to be given as well in Courts of Justice as thereout. In Testimony whereof I have hereunto set my hand and affixed the Seal of my office this 18th. day of April in the year 1794.

A. A. County Seal

Nich. Harwood Clk.

And the Council for the Defendant prayed the Opinion of the Court and their Instructions to the Jury that the Draught of the Act of Assembly subscription and signature aforesaid were not legal Evidence in the Tryal of the Issue in this cause Joined but the Court was of Opinion and so Directed the Jury that the said Draught of a proposed Act of Assembly Subscription and Signature aforesaid and Deposition aforesaid so far as the same related to the Defendant are legal Evidence in this cause and admitted the same to be and the same were read in Evidence and Directed the Jury that if they found that Joseph Sprigg subsequent to the appointments of the Visitors and Governors of Saint Johns College did admit that he owed the sum aforesaid or any part thereof subscribed by him in the superscription aforesaid that the said admission together

(with)

with the aforesaid Draft of the Act of Assembly subscription and signature aforesaid were good Evidence to charge the Defendant in this cause, But if they do not find that the Defendant did subsequent to the signature aforesaid and subsequent to the appointment of the Governors and Visitors of Saint Johns College admit that the money so subscribed or any part thereof was due by him to the Visitors and Governors of Saint Johns College then the Subscription and signature aforesaid is not sufficient Evidence to charge the Defendant. To this Opinion and Direction the Council for the Defendant prayed leave to except and the Court here to sign and seal this his bill of Exception which is accordingly done this 25th. day of April 1795.

W. J. Stone (Seal)

Joseph Wilkinson Esquire did not sit Judicially in this Cause

W. J. Stone Ch. Jus.

And the said Joseph Sprigg Produces in Court here the States Writ of Error the Tenor whereof follows in these words to wit. Maryland ss. The State of Maryland to the worshipful the chief Justice and associate Justice of Calvert County Court Greeting Because in the record and Process and also in the Rendering of Judgment in a certain Action brought by the Visitors and Governors of Saint Johns College against Joseph Sprigg for the sum of Thirty five pounds nine shillings Current Money Damages and four hundred and seventy three pounds of Tobacco and thirteen shillings and a penny half penny Current Money Costs of Suit at a County Court held before you our said Justices in Calvert County Manifest Error as it is said has happened to the Great Damage of the said Joseph Sprigg 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 Joseph Sprigg. 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 on the second Tuesday in May next that 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 the State may be done.

(Witness)