Errors if any there be should be duly corrected and full and speedy Justice done to the said Henry Griffith Senior 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 High Court of Appeals at Annapolis the first 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 John Rogers Esquire Chancellor this tenth day of February Anno domini 1789.

(The Great seal of the State in wax appendant)

Samuel H.y. Howard
Reg: Cur: Can:

In Pursuance whereof and according to the form of the act of Assembly in such case made and provided a record of the Judgment aforesaid with all things thereunto relating is ~~&c~~ transmitted to the states High Court of Appeals accordingly.

In Testimony that the aforegoing is a true copy from the record of proceedings of the General Court for the Western Shore of the state of Maryland I have hereunto set my hand and affixed the seal of my office this 10th day of February, anno domini 1789.

(Seal)

John Guvion Clk. G. C. W.S.M.

Which being read and heard the said Philemon and Joshua say that the aforesaid James ought not to have or maintain his aforesaid action thereof against them the said Philemon and Joshua, Because they say that the said Henry Griffith in his life time paid to the said James Cheston William Randolph and William Stevenson (in the life time of the said William Randolph and William Stevenson) the said sum of sixteen hundred and thirty six pounds eleven shillings and nine pence half penny Current money Mentioned in the record and proceedings aforesaid for their damages as well as the Quantity of six hundred and Eighteen pounds of Tobacco Costs and Charges, to wit at Montgomery County aforesaid and this they, the said Philemon and Joshua are ready to verify; Wherefore they pray Judgment and soforth.

And the said James Cheston surviving partner as aforesaid as before by his attornies aforesaid says that he by any thing by the said Philemon Griffith and Joshua Griffith Executors as aforesaid in their said plea above alledged from having and maintaining this action aforesaid against them, to be precluded ought not, because protesting that the said Henry Griffith

Griffith in his life time did not pay, to him the said James Cheston and the said William Randolph and William Stevenson in the life time of the said William Randolph and William Stevenson the said sum of sixteen hundred and thirty six pounds eleven shillings and nine pence half penny Current money mentioned in the record and proceedings aforesaid for their Damages as well as the quantity of six hundred and Eighteen pounds of tobacco Costs and Charges to wit at ~~&c~~ Montgomery County aforesaid in manner and form as the said Philimon Griffith and Joshua Griffith Executors as aforesaid by their said plea above have alledged and this he the said James Cheston surviving partner as aforesaid prays may be enquired of by the Country and soforth, and the said Philemon Griffith and Joshua Griffith Executors as aforesaid in like manner and soforth.

Therefore let a Jury thereon appear before the Court here on the second tuesday of May next, by whom and soforth and who neither and soforth to recognize and soforth because as well and soforth, the same day is given to the parties aforesaid then and there and soforth.

And now at this day to wit, the said second tuesday of May being the ninth day of the said month in the year of our Lord one thousand seven hundred and ninety seven come again into the General Court here as well the said James Cheston surviving partner as aforesaid by his attornies aforesaid as the said Philimon Griffith and Joshua Griffith Executors as aforesaid by their attornies aforesaid: And the said Philimon Griffith and Joshua Griffith Executors as aforesaid by their attornies aforesaid relinquishing the averment aforesaid by them in pleading above pretended say that they Cannot deny the action aforesaid of the said James Cheston surviving partner as aforesaid so as aforesaid against them prosecuted nor but that they the said Philemon Griffith and Joshua Griffith Executors as aforesaid detain from the said James Cheston surviving partner as aforesaid the said sum of three hundred and seventy two pounds eighteen shillings and one penny three farthings Current money, parcel of the Judgment mentioned in the declaration aforesaid of the said James Cheston surviving partner as aforesaid in the plea ~~&c~~ aforesaid and which said sum is the residue and ballance of the said Judgment unsatisfied or discharged in manner and form as the said James Cheston surviving partner as aforesaid above against them hath ~~&c~~ declared, nor but that the said James Cheston surviving partner as ~~&c~~ aforesaid above against them hath declared nor but that the said James Cheston surviving partner as aforesaid hath sustained Damage by reason of the detention of the Debt aforesaid to the said sum of four hundred pounds