be duly corrected, and full and speedy justice done to the said Peter D'Eveemon in this behalf command you, that if judgment be thereof rendered that then the record and proceeds 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 second Tuesday of November next that the Record and Proceeds aforesaid being inspected into we may further do therein for 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 Esq. Chancellor this twenty fourth day of September in the year of our Lord seventeen hundred and ninety eight.

Samuel Harvey Howard
Reg. Cur. Cand.

In pursuance whereof and the Act of Assembly in such case made and provided, a transcript of the record of proceedings of the judgment aforesaid, and all things thereunto relating (with the writ of Error aforesaid annexed) is hereby transmitted to the High Court of Appeals

Test John Gwinn Clk

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James Clagett vs Josias Speake

Be it remembered, That heretofore, to wit, on the twenty eighth day of July in the year of our Lord one thousand seven hundred and ninety five, James Clagett by Philip Barton Key his attorney sued out of the General Court here the writ of the State of Maryland of capias ad respondendum directed to the Sheriff of Montgomery County in manner and form following to wit

The State of Maryland set. To the Sheriff of Montgomery County Greeting. We command you that you take Josiah Speak late of Montgomery county mariner if he shall be found in your bailiwick, and him safe keep, so that you have his body before the judges of our General Court, to be held at the City of Annapolis on the second Tuesday of October next

next, to answer unto James Clagett of a plea of trespass on the case and so forth. Hereof fail not at your peril, and have you then and there this writ. Witness the honorable Samuel Chase Esquire, Chief judge of our said Court the 23d day of June anno Domini 1795.

Issued the 28th day of July 1795

P.B.K. Jno. Gwinn Clk

At which said second Tuesday of October being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and ninety five, and the day of the return of the aforegoing writ, comes into the General Court here the said James Clagett by his attorney aforesaid, and the Sheriff of Montgomery County, to wit, Benjamin Ray Junior Esquire, to whom the said writ was in form aforesaid directed, likewise comes and makes return thereof to the Court here thus endorsed, to wit,

Cepi. Benja Ray. J.E. Sheriff

And the said Josias Speake by John Thompson Mason his attorney appears in Court here, and defends the force and injury when and so forth, and prays leave of the court here to imparle until the second Tuesday of May next, and he hath it; the said day is given to the said James Clagett also.

At which said second Tuesday of May being the tenth day of the same month in the Year of our Lord one thousand seven hundred and ninety six, comes again into the General Court here as well the said James Clagett by his attorney aforesaid. And thereupon on motion of the said Josias Speake by his attorney aforesaid, it is ruled by the Court here, that the said James Clagett declare against the said Josias Speake in the plea aforesaid, or, judgment will be rendered against him by default. Whereupon the said James Clagett by his attorney aforesaid prays, that a day may be given him, untill the second Tuesday of October next, and then to declare against the said Josias Speake in the plea aforesaid, and to him it is granted; the same day is given to the said Josias Speake also.

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