and entered in the said cause but in the record and proceedings transmitted as aforesaid to the said General Court no Declaration was inserted or returned: and for as much as the said General Court were not satisfied that there was a sufficient record sent in the plea aforesaid but in the record thereof there was Diminution, you were therefore on the fifth day of June in the year of our Lord one thousand seven hundred and ninety eight commanded that without delay a full transcript of the whole proceedings therein you cause to be transmitted to the said General Court to be held at the City of Annapolis on the second tuesday of October then next without any Diminution whatsoever, to the end that speedy Justice may be done: and in pursuance of the command last aforesaid a transcript of the process and proceedings therein was likewise transmitted: And whereas it was also suggested in the said General Court on the part of the said Samuel Blair surviving executor as aforesaid that in the record and process last transmitted as aforesaid a Declaration is certified as regularly filed in the said cause on the seventeenth day of August in the year of our Lord one thousand seven hundred and ninety, when in truth no Declaration was filed in the said cause pending the same in the county court of Frederick aforesaid: and it was further suggested on the part of the said Samuel Blair surviving executor as aforesaid, that in the said suit certain pleas were filed by the said Samuel Blair and William Shields executors as aforesaid, in the said county court of Frederick which were not contained and certified in the record transmitted in pursuance of the last mentioned command: and for as much as the said General Court were not satisfied that there was a sufficient record sent in the plea aforesaid, but in the record thereof there was Diminution you were therefore on the first day of July in the year of our Lord one thousand seven hundred and ninety nine further commanded that without delay a full transcript of the whole proceedings therein you cause to be transmitted to the said General Court to be held at the City of Annapolis on the second tuesday of October then next without any Diminution whatsoever to the end that speedy Justice might be done: and pursuant to the command last aforesaid a transcript of the process and proceedings therein was likewise transmitted And also whereas it hath been suggested in the said General Court on the part of the said John Smith that in the record

and process last transmitted as aforesaid the terms on which the Declaration and plea stated in the record transmitted as aforesaid was agreed to be filed are not stated in the said transcript last transmitted as aforesaid: and for as much as the said General Court are not yet satisfied that there is a sufficient record sent in the plea aforesaid, but in the said record so as aforesaid transmitted there is Diminution, You are therefore hereby again commanded that without delay a full transcript of the whole proceedings therein you cause to be transmitted to the said General Court to be held at the City of Annapolis on the second tuesday of October next without any Diminution or addition whatsoever stating the terms on which the said Declaration and plea was agreed to be filed, to the end that speedy Justice may be done in the premises according to Law, whereof you are in no wise to fail and send you there then this writ. Witness the Honourable Jeremiah Townley Chase Esquire Chief Judge of the said General court the thirteenth day of May in the year of our Lord one thousand eight hundred.

Issued the 10th day of June 1800. (Ad) Jno. Gwinn clk

the same day is given to the said parties then and there and so forth.

At which said day to wit the said second tuesday of October being the fourteenth day of the same month in the year of our Lord one thousand eight hundred and the day of the return of the last aforegoing writ come into the General Court here as well the said Samuel Blair surviving executor as aforesaid by his attorney aforesaid, as the said John Smith by his attorney aforesaid. And the said chief Justice, Associate Justices and Clerk of Frederick county court now here certify and return to the court here with the said writ of Diminution a transcript of the record of proceedings aforesaid before the said county court had, and which is contained in the words following to wit,

State of Maryland Frederick county to wit, At a county court begun and held at the court house in Frederick Town in and for said county, on the third tuesday and seventeenth day of August in the year seventeen hundred and ninety

Present The Worshipful Upton Sheredine, Jacob Young, William Beatty, William Murdock Beall, William Luckett, John Ross Key, George Scott, William Magruder, Henry Darnall, George Murdock, John Gwinn, Nicholas Hobbs, William Emmit

Stephen