by his attorney aforesaid, as the said Charles Love administrator as aforesaid by his attorney aforesaid, and the said Alexander S. Smoot administrator as aforesaid by his attorney aforesaid, cometh and saith that in the record and process aforesaid and also in the giving the Judgment aforesaid there is manifest error in this to wit that whereby the record aforesaid it appears that the Judgment aforesaid in the plea aforesaid given was given for the said Charles Love administrator as aforesaid Therefore in that there is manifest error and he prays that the Judgment aforesaid for that error, and others being in the record and process aforesaid, may be reversed annulled, and wholly holden for nought, and that the said Alexander S Smoot administrator as aforesaid may be restored to all that he has lost by occasion of the said Judgment and that the said Charles Love administrator as aforesaid may rejoin to the errors aforesaid &c.

And the said Charles Love administrator as aforesaid by his attorney aforesaid says there is no error in the record and procedings aforesaid or in the rendition of the Judgment aforesaid and prays likewise that the court here may proceid to the examination as well of the record and proceedings aforesaid as of the matters aforesaid by the said Alexander S Smoot administrator as aforesaid above for errors assigned, and the said Judgment may be in all things affirmed and so forth. But because the court here are not yet advised to give their Judgment of and upon the premises, day therfore 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 being the twelfth day of the same month in the year of our Lord one thousand eight hundred and one, come again into the General court here, as well the aforesaid ---- Alexander S Smoot administrator as aforesaid by his attorney aforesaid, as the said Charles Love administrator as aforesaid by his attorney aforesaid, whereupon as well the record and proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said Alexander S Smoot - administrator as aforesaid above for errors assigned being seen, heard and fully understood by the court and mature deliberation had thereupon for that it appears to the court here that there

is no error either in the record and proceedings aforesaid or in giving the Judgment aforesaid. Therefore it is considered by the court here that the Judgment aforesaid given in form aforesaid be in all things affirmed. And it is further considered that the said Charles Love administrator as aforesaid recover against the said Alexander S. Smoot administrator as aforesaid his debt. Damages costs and charges aforesaid so as aforesaid rendered in the said county court of Charles as also the quantity of nine hundred and sixty six pounds of tobacco for his costs and charges which he hath sustained by occasion of the delay of the execution of the Judgment aforesaid by means of the prosecuting the said writ of error by the said Alexander S. Smoot administrator as aforesaid and that he the said Charles Love administrator as aforesaid have thereof execution and so forth.

Memorandum Judgment was affirmed in this cause with costs on the twelfth day of June in the year of our Lord one thousand eight hundred and one, and the defendant in error agrees to stay execution until the first day of August next.

Test. John Gwynn Clk.

James Simmes for the use of Cunningham Finlay & Co. against John Maddox

Be it remembered that heretofore to wit on the twenty fourth day of August in the year of our Lord one thousand seven hundred and ninety nine the said James Simmes by - Thomas Buchanan his attorney prosecuted and sued forth out of the General Court here the writ of the State of Maryland of capias ad respondendum directed to the Sheriff of Charles County in the words and figures following to wit

The State of Maryland &c. To the Sheriff of Charles county greating You are hereby commanded to take John Maddox late of Charles county yeoman, otherwise called John Maddox of Charles county in the state of Maryland if he shall be found in your bailiwick and him safe keep so that you have his body before the General - Court to be held at the city of Annapolis on the second tuesday of October next to answer unto James Simmes in a plea that he render unto him the full and just sum of three hundred and fifty pounds current money which to him he owes and from him unjustly detains and so forth. Hereof fail not at your peril and have you then and there this writ. Witness the Honourable Jeremiah Townley Chase Esquire Chief Judge of the said Court the thirteenth day of August in the

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