the second Tuesday of October next, to hear their Judgment of and upon the premises, because the Court now here thereof are not yet advised &c.

And now, at this day, to wit, the said second Tuesday of October being the thirteenth 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 Elisha Berry by his Attorney aforesaid, as the said Robert Findlay, James Hopkirk, Thomas Hopkirk, Andrew Buchanan, John Dunlop John Bannatyne and Robert Dunlop surviving partners aforesaid by their Attorney aforesaid; And the aforesaid Elisha Berry by his Attorney aforesaid, relinquishing his satisfaction aforesaid, above by him pretended, says 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 by the Court here, that the said Robert Findlay James Hopkirk, Thomas Hopkirk, Andrew Buchanan, John Dunlop, John Bannatyne and Robert Dunlop surviving partners aforesaid have Execution against the aforesaid Elisha Berry as well for their Damages, costs and charges aforesaid so as aforesaid adjudged unto them in the said County Court of Prince George as also the quantity of Eight hundred and forty eight pounds of Tobacco, adjudged unto them by the Court here on their appeal, for their costs and charges, which they have sustained by occasion of the delay of Execution of the Judgment aforesaid, by means of the prosecuting the said Writ of the State of Maryland for the correcting of Errors by the aforesaid Elisha Berry of and upon the premises &c.

Memorandum Judgment affirmed in this Cause, on the twentieth day of October in the year of our Lord one thousand eight hundred and one, by consent with Costs and the Defendants in Error agree to stay Execution until the first day of January next. Test. Jno Green Clk.

with ant 6th

Joshua Johnson
against
Basil Brooke Junior

Be it remembered, that heretofore, to wit on the twenty seventh day of March, in the year of our Lord one thousand seven hundred and ninety eight, the said Joshua Johnson by James Cooke 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 Calvert County, in the words and of the tenor following, to wit.

The State of Maryland, &c. To the Sheriff of Calvert County Greeting, You are hereby commanded to take Basil Brooke Junr. late of Calvert County Yeoman, if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of the General Court, to be held at the City of Annapolis on the second Tuesday of May next, to answer unto Joshua Johnson in a plea of Trespass upon the Case and so forth, hereof fail not not your peril, and have you then and there this writ. Witness the honourable Robert Goldsborough Esquire Chief Judge of the said Court the 29th day of January Anno Domini 1798.

Issued the 27th day of March 1798. Test. Jno Green, Clk.

And the aforesaid Joshua Johnson by his Attorney aforesaid, on the day of prosecuting and suing forth of the aforesaid writ, declared against the said Basil Brooke Junior, in the plea aforesaid, in form following to wit. State of Maryland, Western Shore, Calvert County to wit, Basil Brooke Junior late of Calvert County Yeoman was attached to answer unto Joshua Johnson in a plea of Trespass upon the Case and so forth, And whereupon the said Joshua by James Cook his Attorney complains that whereas the aforesaid Basil on the first day of March in the year of our Lord one thousand seven hundred and ninety eight at Calvert County aforesaid was indebted unto him the said Joshua in the sum of Two hundred and seventy three pounds ten Shillings and six pence Sterling Money for the like sum of Money by him the aforesaid Basil for him the said Joshua and to his use before that time had and received and so thereof being indebted the aforesaid Basil Brooke afterwards to wit on the day and year aforesaid at Calvert County aforesaid in consideration thereof upon himself assumed and to the said Joshua then and there faithfully promised that he the aforesaid Basil the aforesaid sum of Money to him the said Joshua when

(afterwards)