Joseph Cottman
against
Tilman Lowes admr. of
Henry Lowes

Memorandum the Defendant in this cause by Benjamin Dashiell his Attorney sued out the State of Maryland's writ of Certiorari, the Tenor whereof ensues in the following words, towit: The State of Maryland. To the Justices of Somerset County Court Greeting: Whereas lately in our said Court a certain Henry Lowes late of Somerset County was summoned to answer unto Joseph Cottman of a plea of debt, which said plea is still depending before you our said Justices in our said County Court as is said undetermined, and we being desirous for certain reasons that the Record & Proceedings in the plea aforesaid, with all things touching the same unto our General Court to be held for the Eastern Shore of this State, at Easton in Talbot County the second Tuesday of September next plainly and distinctly and in as full and ample manner as it now remains before you, together with this writ, so that we may be able thereon to proceed and to do what shall appear to us of right ought to be done.- Witness the honorable Thomas Johnson Esquire chief Judge of our said Court the 12th day of April Anno Domini 1791.

Issued the 31. day of May 1791. James Carter Clk.

At which said second Tuesday of September Anno Domini, One thousand seven hundred and ninety one, being the day of the return of the aforesaid writ the Justices and Clerk of Somerset County in compliance with the writ aforesaid made return thereof to the Court here with the following Record annexed, towit: In the Record and Proceedings of Somerset County Court it is contained as follows, Viz: Somerset County, towit, at a County Court held at Princess Ann Town in and for the County of Somerset the third monday in may being the sixteenth day of the same month Anno Domini One thousand seven hundred and ninety one by the Justices of the County Court afsd.

(according)

according to the act of assembly in such case made and provided towit:

The Honorable { John Done Esquire chief Justice
William Winder Esquire associate Justice
Henry Jackson Esquire associate Justice }

John Leatherbury Sheriff. Thomas Hayward Clk:

WB. Joseph Cottman
a
BD. Henry Lowes

Command was given to the Sheriff of Somerset County that he should take Henry Lowes late of Somerset County Planter if he should be found in his Bailiwick and him safe keep, so that he might have his body before us at Princess Ann Town the third monday in may Anno Domini One thousand seven hundred and ninety one to answer unto Joseph Cottman of a plea that he render unto him the sum of two hundred and one pound eleven shillings and eight pence current money of Maryland which to him he owes and unjustly detains and so forth: And that he should have then and there this writ &c.

At which said third monday in may and year afs. came the afs. Joseph Cottman by William Polk his Attorney, and the Sheriff, towit, John Leatherbury Esq. Sheriff of the County afsd. returned that he had taken the afs. Henry Lowes whose body he had here ready to answer unto the afsd. Joseph Cottman of the afs. plea as to him it was commanded &c.: whereupon the said Henry Lowes puts in his place Benjamin Dashiell Gentleman Attorney at Law against the aforesaid Joseph Cottman in the plea afs. &c.: and hereupon the said Joseph Cottman declared against the afsd. Henry Lowes in the plea afs. in form following: Somerset, towit, Henry Lowes late of Somerset County, Planter was summoned to answer unto Joseph Cottman of a plea that he render unto him the said Joseph Cottman the sum of two hundred and one pounds eleven shillings and eight pence current money of Maryland which to him he owes and unjustly detains &c.: and whereupon the said Joseph Cottman by William Polk his attorney saith that whereas the said Henry Lowes on the twentieth day of January Anno Domini seventeen hundred and eighty nine at the County aforesaid by his certain writing obligatory sealed the said Joseph with the seal of the said Henry sealed here in Court produces

(where)