aforesaid Richard Higgins by his Attornies aforesaid as the aforesaid Nathaniel Allen by his Attorney aforesaid. And the said Richard Higgins by his Attornies aforesaid comes and saith that in the Record and process aforesaid likewise in the rendering of Judgment aforesaid there is manifest Error in this, to wit, that by the Record and process aforesaid it does appear that the Judgment aforesaid rendered, was given for the aforesaid Nathaniel Allen against the aforesaid Richard Higgins, Whereas by the Law of the Land that Judgment ought to have been given for the said Richard Higgins against the said Nathaniel Allen: therefore in that it is manifestly erred; and prays that the Judgment aforesaid for those Errors and others in the Record and process aforesaid being, may be revoked, annulled and utterly for nothing had; and that the aforesaid Richard Higgins to all things which by occasion of the Judgment aforesaid he hath lost may be restored; and that the said Nathaniel Allen may rejoin to the said Errors, and that the Court here may proceed to the examination as well of the Record and proceedings aforesaid as of the matter aforesaid above assigned for Error and that the Judgment may be given for the said Richard Higgins against the said Nathaniel Allen in the Record and proceedings aforesaid mentioned and so forth.

And the said Nathaniel Allen says that there is no Error in the Record and proceedings aforesaid, or in the rendition of the Judgment aforesaid and prays likewise that the Court here may proceed to the examination as well of the Record and proceedings aforesaid as of the matters aforesaid by the said Richard Higgins above for Error assigned; and that the Judgment aforesaid 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 premisses day therefore is further given to the parties aforesaid before the Judges of our General Court here untill the second Tuesday of May next to hear their Judgment of and upon the premisses because the Court now here thereof are not yet &c.

At which said second Tuesday of May being the tenth day of the same month Anno Domini seventeen hundred and ninety six comes again here into our General Court as well the aforesaid Richard Higgins by Philip Barton Key his Attorney aforesaid as the aforesaid Nathaniel Allen by Thomas Jennings his Attorney aforesaid. But because the Court here are not yet advised to give their Judgment of and upon the premisses day therefore is further given to the parties aforesaid before the Judges of our General Court here untill the second Tuesday of October next to hear their Judgment of and upon the premises, because the Court now here thereof are not &c.

And now here, at this day, to wit, the said second Tuesday of October being the Eleventh day of the same month Anno Domini seventeen hundred and ninety six comes again here into our General Court as well the aforesaid Richard Higgins by his Attorney aforesaid, as the aforesaid Nathaniel Allen by his Attorney aforesaid Whereupon all and singular the premises being seen, and by the Court here more fully understood, and mature deliberation being thereon had; because it seems to the Court here, that there is manifest Error in the Record and proceedings aforesaid, and also in the rendition of the Judgment aforesaid It is considered that the Judgment aforesaid, for those Errors and others in the Record and proceedings aforesaid be revoked, annulled and held intirely as void

And thereupon the said Nathaniel Allen by his Attorney aforesaid prays an Appeal from the Judgment aforesaid so as aforesaid rendered to the State of Marylands High Court of Appeals and the same is granted unto him. It is therefore Ordered by the said Court that the Record and proceedings aforesaid with all things thereunto relating, be transmitted to the said State of Marylands High Court of Appeals, and the same are hereby transmitted to the same Court accordingly

Test.

John Gwinn, Clk.

In Testimony that the aforegoing is a true Copy taken from the Record and proceedings of the General Court for the Western Shore of the State aforesaid. I have hereunto set my Hand and Affixed the Publick Seal of the said General Court this first day of November in the Year of our Lord one thousand seven hundred and ninety six: And in the Twenty first Year of the Independence of the said State.

John Gwinn Clerk. General Court Western Shore State of Marylands.