

Liber W. C. Country & the Deft Likewise: Whereupon comand is given to the sheriffe of Baltemore County to Cawse to come here Twelve & who neither & To Recognize & Because aswell &, Att wch seaventh Day of July in the yeare aforesaid Came the said John Nicholls & the said Susanna Uty by their Attorneys aforesaid as the Juro^{rs} (to wit Rowland Thornborg, William Cromwell, Michael Judd, James Collyer, John Right, Thomas Heath, James Denton, Thomas Cannon, George Gunnell Peter Ellis, Robert Love, & John Mould Who being Impannelled Sumoned and Sworne to say the truth in the p^rmisses & haveing heard what could be said on Either part Upon their Oathes Doe Say Wee of the Jury Doe finde that the plantiffe Ought to have his wages and ffoure hundred & fifty pounds of Tobacco Damages wth costs.

And thereupon the said susanna Uty by John Dunston her Attorney alleadgeth that she is not guilty & c^a But this Court not Conceeding thereunto the said Susanna prayed and Appealed from the said Judgment aforesaid & that the said Cawse might Come before his Lopps Justices att the Provinciaall Court to be held at the City of s^t Maryes On the fffifth day of October next Ensueing, & that the Teno^r of the Record and Proceedings in the Cause aforesaid might be sent to his Lopps Justices of his Provinciaall Court aforesaid to have inspection of the same & to Render Judgment thereon, In order to w^{ch} the said Susanna Uty together with her Suretyes James Phillips & David Jones became bound unto the Said John Nicholls the said Susanna in the sume of foure Thousand pounds of Tobacco and the said James and David in the Like Sume to be Leavyed of their goods Chattles Lands and Tennements In Case likewise the said Susanna shall not satisfy and pay If the said Judgment be affirmed All and singuler the Debts damages & costs Upon the Two seaverall Judgments Viz (This Judgment and the Judgm^t following) And all Costs and Damages to be Awarded for Delaying of Executions upon the said Judgments, unlesse the aforesaid Susanna Uty doe pay the same or Render her body to Prisson

Which said Provinciaall Court on the said fifth day of October was by his Lopp^s writt of Adjournment Adjourned till the Three and Twentyeth Day of November following, Att w^{ch} said Three and Twentyeth day of November Came the said Susanna by her attorney aforesaid, and according to the act of Assembly in that case made and provided Entituled an Act for Appeales and Regulateing writts of Erro^r Offereth to the Court here for Cause and Reason of her the said Susanna's appealeing from y^e Judgment of the Court of Baltemore County aforesaid ffor that the Record and pceedings before recited are Manifestly Erroneous

ffirst—ffirst Itt is manifestly Erroneous in this, In that there is Variance betweene the writt and the Declaracōn, ffor the writt Sayes
 p. 505 That you take Susanna Uty If she shall be found in yo^r Baliwick & her Safe Keepe soe as you have her body att a Court to be held