

Liber W. C. erty to Imparle hereunto untill next Provinciall Court and It is granted unto him the same Day is given to the p<sup>l</sup>t likewise

**Now** here at this day to wit the seaventh day of March in the Seaventh yeare of the Dominion of the Right Hono<sup>ble</sup> Charles Lord Baltemore &c<sup>a</sup> Annoq̄ Doni 168i Came the Said partyes by their Attorneys aforesaid and the said John Nicholls by her sayd Attorney sayth That the appeale of the said Susanna from the Judgment of County Court of Baltemore County Given on the seaventh day of July 1680: in the Cawse there Depending betweene the said John Nickolls p<sup>l</sup>t & the said Susanna Uty def<sup>t</sup> was not made and Claymed according to a Certaine Act of Assembly Enacted at the City of s<sup>t</sup> Maryes Att a General Assembly there held the Twentiyeth day of Octob<sup>r</sup> in the third yeare of the Dominion of Charles &c. Annoq̄ Doni 1678: Entituled an Act for Appeales and Regulateing writts of Erro<sup>r</sup>, ffor that the said Judgment that was Appealed from was given att a County Court held for the said County of Baltemore the seaventh day of July in the yeare 1680 aforesaid, and the said susanna did not appeale in the said Action whilst the next County Court held for the said County viz the Eighth Day of September the next Following, The said Appealee haveing Slipt her time to appeale Noe Remidy can be had therein but by writ of Erro<sup>r</sup>, And since the Justices of this Court of any appeale from y<sup>e</sup> County Court can hold plea onely by vertue of the said Act of Assembly before recited & by noe other Lawe whatsoever The said appealee Demands Judgment of the Court if the said appealant haveing neglected to appeale from the Judgm<sup>t</sup> of the County Court aforesaid to this Court, the Day of the Judgment given, Whether she can by the said Act of Assembly be Admitted to appeale the Court after, And further if this Court the Argueing the Erro<sup>rs</sup> by her assigned in the Judgment aforesaid by the Lawe Can Admitt The said Appeale not being made in Due time, And prayeth that he may be hence Dismissed w<sup>th</sup> his Costs and Charges in this behalfe vexatiously sustained:

**Which** Reasons aforesaid and answeare to the reasons aforesaid being read and heard & by the Justices here fully und<sup>r</sup>stood and Dilligently Examined Itt Semeth to the Justices here that the aforesaid Reasons of the aforesaid Susanna Uty in manner aforesaid Specified and the matters therein Contained are sufficient to reverse the Judgment aforesaid the same being manifestly vitious and Erro<sup>neous</sup>: and the said John Nicholls being three times Solemnly Called appeared not **Therefore** Itt is Considered by the Court here that the Judgment afores<sup>d</sup> for the Erro<sup>rs</sup> in the Record and Processe aforesaid Be Revoaked Adnulled & altogether held for Nothing And that the said Susanna Uty unto all things w<sup>ch</sup> by occasion of the Judgement aforesaid she hath Lost be Restored And that the said Susanna Uty Recover against the said John Nicholls the sume of