

Now here at this day (to wit) the Eighteenth day of October in the Seaventh yeare of the Dominion of the R<sup>tt</sup> hono<sup>ble</sup> Charles Lord Baltemore &c<sup>a</sup> Annoq̄ Doni 1682 Came the Said Griffith Jones in his proper person and the Said Richard Jones by Thomas Burford his Attorney And the Said Griffith according to the Act of Assembly in that Case made and provided Entituled an Act for appeales and Regulateing writts of Error<sup>r</sup> Offereth to the Court here for Cause and reason of his the Said Griffiths appealeing from the Judgment of the said County Court of Talbot County aforesaid ffor that the Record and proceedings before recited are manifestly erroneous as followeth

(First) Itt is manifestly Erroneous in that there is Variance betweene the writ & Declaracon for that the writ Sayth That you Sumons the personall appearance of Griffith Jones Soe that he be and appeare before Our Justices of our next Court to be held for Talbot County the third Tuesday in January next to answeare unto Richard Jones in a plea of Trespasse upon the Case And the Declaration sayth Griffith Jones gentl one of the Attorneys of this Court was Sumoned to answeare Richard Jones of a plea that he render to the Said Richard Divers goods and Marchandizes w<sup>ch</sup> to him he oweth and unjustly detaineth Soe that the writ doth not Warrant the Declaracon aforesaid w<sup>ch</sup> is Error<sup>r</sup> :

(Secondly) The Said Richard Jones in and by his said Declaracon Sayth that the said Richard Jones is Sued for divers goods and Marchandizes w<sup>ch</sup> to him he oweth & unjustly Detaineth and Declared upon an Assumpsitt w<sup>ch</sup> is Certainly Error<sup>r</sup>

(Thirdly) Itt appeareth by the Record and proceedings aforesaid that the said Griffith Jones did file his Demurrer to the Declaration of the said Richard, but it doth not appeare that the Said Richard did Joyne in the said Demurrer without w<sup>ch</sup> the Law Could not give Judgment it being Coram non Judice w<sup>ch</sup> is Error

(Fourthly) Itt appeares by the Record and Proceedings aforesaid that the Court gave Judgment against the said Griffith upon the Overruleing his sd Demurrer Whereas he ought to have Liberty given him to put in a New plea that the Merritts of the Cause might have been heard w<sup>ch</sup> is Error<sup>r</sup>

And thereupon the said Griffith Jones Sayth that in the Record and Processe aforesaid there is manifest Error And for the Reasons aforesaid and others therein contained he prayeth that y<sup>e</sup> proceedings aforesaid & Judgment thereupon may be Quashed Reversed adnulled & made Voyd and that he unto all things w<sup>ch</sup> by Occasion thereof he half sustained may be restored

And the said Richard Jones by his said Attorney Sayth that in the Record & processe aforesaid & also in the Rendering the Judgment aforesaid Itt is in nothing Erred And Prayeth that this Court will proceed aswell to the hearing and Examination of the Record