

one thousand Six hundred and thirty pounds of Tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Defence in this Behalfe layd out and Expended according to the forme of the Statute etc.

afterwards to witt in the Same Court or terme the Said Will<sup>m</sup> Fitzredmond Lessee of the Said Charles Carroll by his attorney af<sup>d</sup> prays an appeale from the Judgment of this Court to the High Court of appeales, which [319] is Granted Giveing Security according to Law. Thereupon Charles Carroll, Thomas Macnemara and William Bladen of Annarundell County Esq<sup>rs</sup> acknowledge them Selves to owe and Stand Justly Indebted unto the Said George Eskridge in the Summe of Twenty thousand pounds of Tob<sup>o</sup> to be levyed on their Bodys Goods or Chattells Lands or Tenem<sup>ts</sup> to the use of the Said George Eskridge according to Law in Case the Said William Fitzredmond Lessee of the Said Charles Carroll do not prosecute his Said appeale with Effect according to Act of Assembly in that Case made and provided.

In Testimony whereof the Seale of the Provinciaill Court is hereunto affixed [Provinciaill Seale] per Jo Beale Ck

Afterwards to witt the tenth Day of March anno Doni one thousand Seven hundred and fourteen to which time Day was Given to the Said Plaintiff William Fitzredmond Lessee of the Said Charles Carroll Esq<sup>r</sup> to prosecute his appeal afs<sup>d</sup> Comes again the afs<sup>d</sup> William Fitzredmond Lessee of the Said Charles Carroll by Tho: Macnemara his att<sup>ny</sup>ey af<sup>d</sup> and Saith that in the Record and process af<sup>d</sup> and in rendring Judgm<sup>t</sup> thereon it is manifestly Erred in this (Viz<sup>t</sup>)

[320] For that Judgment was rendred for the Defendant whereas it ought to have been rendred for the plaintiff And there upon the Said George Eskridge by Thomas Bordley his att<sup>ny</sup>ey freely Comes into Court and Volantirily Enters his appearance to the appeal afs<sup>d</sup> Whereupon the Said William Fitzredmond lessee of the Said Charles Carroll Prays that the Judgment af<sup>d</sup> for the Errors afs<sup>d</sup> and other in the Record and process afs<sup>d</sup> being may be reversed annulled and alltogether held for none, and that he to all things which he by occasion of the Judgm<sup>t</sup> afs<sup>d</sup> hath Lost may be restored and that the afs<sup>d</sup> George to the Errors af<sup>d</sup> may Rejoyne etc. and that the Court of our Lord the King here may proceede to the Examination as well of the Record and process afs<sup>d</sup> as the matter af<sup>d</sup> above for Error assigned etc. And the afore Said George Eskridge Saith that neither in the Record and process afs<sup>d</sup> nor in the rendring the Judgm<sup>t</sup> thereupon It is in any thing Erred and prays likewise That the Court here may proceed to the Examination as well of the Record and process as of the matters afs<sup>d</sup> above for Errors assign'd, and Because the Court hereof rendring their Judgm<sup>t</sup> afs<sup>d</sup> upon the premisses as yet are not advis'd etc. Day thereof is Given to the parties afs<sup>d</sup> before the Said Court untill the next Court. For that the Said Court here thereof is not etc.