

At which said twentyth day of April before his L^dships high Court of Appeales afs^d at the City of Annapolis af^d as well the said Thomas Bordley and Daniel Dulany who for us etc: as the afs^d Thomas Lingan by Michael Howard and Michael Junifer his Attorneys and the Sherriff afs^d did not send the Writ and thereupon the af^d Thomas Bordley and Daniel Dulany who for us etc: Say that in the Record and process afs^d as also in rendring the Judgm^t af^d it is manifestly Erred alledgeing the Errors afs^d by the said Thomas Bordley and Daniel Dulany for us in forme af^d above Alledged and pray that the Judgm^t afs^d for the Errors afd and others in the Record and process may be reversed annulled and altogether for none held and that he to all things which by Occasioned the Judgm^t af^d he hath lost may be restored and that the said Thomas Lingan to the Errors af^d rejoyne and that his said L^dships Court of [461] Appeales and Errors here will proceed to the Examination of as well the Record and process afs^d as the matters afs^d above for Errors Assigned And the said Thomas Lingan saith that neither in the Record and process af^d nor in the matters therein Contained nor in rendring the Judgm^t af^d it is in any wise Erred and likewise prays that his L^dships Court of Appeales and Errors here proceed to the Examination as well of the Record and process afs^d as of the matters afs^d above for Errors Assigned and the Judgm^t afs^d in everything may be Affirmed.

But because his said L^dships Court of Appeales and Errors hereof rendring their Judgm^t of and upon the premisses are not as yet advised day is thereof given to both Parties Plaintiff and Def^t before his L^dships Governour and Councill from the said twentyth day of April at the City af^d untill the twenty first day of July next being the third friday of the same month Anno Domi. Seventeen hundred and twenty one afs^d to here their Judgm^t of and upon the premisses for that his said L^dships Court of Appeales here thereof are not as yet advised.

At which said twenty first day of July last mentioned before his L^dships Gov^rn and Councill afs^d Sitting as a Court of Appeales and Errors at the City afs^d comes as well the said Thomas Bordley and Daniel Dulany who for his said L^dship Prosecuteth as afd as the said Thomas Lingan by his Attorneys afs^d

And whereupon all and Singular the Premisses by the Court now here being Seen and fully understood and deligently Examined and inspected and mature deliberation being thereupon had it [462] Appears to his L^dships said Court of Appeales and Errors now here that in the Record and process afs^d and Likewise in rendring the Judgment afs^d it is Manifestly Erred.

Therefore it is Considered by the said Court that the Judgm^t af^d as to us for the Errors afd above Assigned be revoaked annulled and altogether held for none and that we to all things which by Occasion of the Judgm^t afs^d have lost shou'd be restored etc. And also it is Considered by the said Court the same day and year that We recover against the said Thomas Lingan the