

that in October Seventeen hundred and Nineteen the same Court gave Judgm^t agst the said James tho' no Cause appears to have been shewn why Judgm^t should not have been rendred against the said John

[526] Also in this that the Court rendred Judgm^t against the said James on the Act for Limitting the Continuance of Actions whereas the delay appears to have been on the Part of the said John and not of the said James and also for that it appears the time of Limitation was not Expired but that the said Cause by the Act af^d might have been Continued Contrary to the Supposition of the Court which is Manifestly Erronious

Also in this that the Court gave Judgm^t for the said John to recover the value of the said Goods and not the goods themselves according to that which he had declared for and that altho' the said James denied the Value thereof by protestation and did not refuse to Account for the same yet the Court gave Judgm^t for the Value as afs^d without awarding any Writt of Enquiry of the Value thereof.

Wherefore the said Ariana prays that the Judgm^t af^d for the Errors af^d and Others in the Record and process af^d may be reversed annulled and Altogether held for none and that the said Ariana to all things that the said James had lost thereby may be restored etc:

Th Bordley per Quer in Err.

And the afs^d Ariana Frisby Ex^{rx} afs^d prays his L^dships Writt of Sc fa to forewarn the said John Snow to be before his Lordships Governour and Councill at Annapolis to hear the Record and process afs^d and it is granted to him. Therefore Command is given unto the Sherriff of Prince Georges County that he should make known unto the afs^d John Snow that he should be before us in our Court of Appeales to be held at the City of Annapolis the third friday in July then next to hear the Errors afs^d assigned upon the Judgm^t afs^d if to him it should Seem meet upon [527] which Writt of Scire facias the following Endorsment is made You are desired to give notice of the Within Writt to Cap^t Samuel Perry of your County the Attorney of the afs^d John Snow And the same day is given to the same Ariana Frisby Ex^{rx} af^d

Also at which said third friday of July being the 21st Day of the same month Anno Domi Seventeen hundred and twenty One Before his L^dships Court of Appeales af^d at the City of Annapolis afs^d Came as well the afs^d Ariana Frisby Ex^{rx} af^d by her Attorney af^d and the Sherriff of Prince Georges County To Witt Thomas Clagett Gent: returned that by Vertue of the Writt afs^d to him Directed and Endorsm^t thereon he did give notice to Cap^t Sam^l Perry as by the Endorsm^t on the same Writt he was Directed Which said John Snow according to the premonution to him in this Part made by Daniel Dulany his Attorney Come into Court here And Whereupon the said Ariana Frisby Ex^{rx} afs^d as before sayth that in the Record and process afs^d as also in rendring the Judgm^t afs^d it is manifestly Erred. Alledging the Errors af^d by