

of and upon the Premises to render are not advised further day is given as well to the Said John Gresham as the aforesaid Thomas Gassaway from the Said first Tuesday in May at the City of Annapolis aforesaid untill the third Tuesday of July Anno Domini Seventeen hundred and Twenty three to hear the Judgment of and upon the Premises for that his Said Lordships Court of Appeals here thereof are not as yet advised. At which Said third Tuesday of July Anno Dom Seventeen hundred and Twenty three before his Lordships Governour and Council Sitting at [sic] a Court of Appeals and Errors at the City aforesaid Comes as well the Said John Gresham by his Attorney aforesaid as the Said Thomas Gassaway by his Attorney aforesaid. And Whereupon Mess^{rs} Richard Tilghman Mathew Tilghman Ward and Benj^s Tasker the Referees aforesaid make their Report thereon to the Court in these words following — 22^d July 1723. To the Honourable High Court of Appeals for the Province of Maryland. We the Subscribers being appointed to Audite State and determine all Accounts and Disputes relating to Two Actions now depending in the Said Court (the one between the Said John Gresham and Thomas Gassaway and the other between the Said John Gresham Danⁿ Dulany Thomas Humphrys and the Said Thomas Gassaway do Certifye that we Examined all Accounts depending between them relating to the first Action and do find there is a Ballance due to the Said Thomas Gassaway from the Said John Gresham Amounting to the Quantity of Sixty Pounds of Tobacco as appears by the within Account and are humbly of Opinion that the Judgment in the Provincial Court be Affirmed together with the Costs Accruing in this Court in the inferior Court. Whereupon all and Singular the premisses by the Court being Seen and fully understood and Dilligently Examined and Inspected as well the Record and process aforesaid as the Judgment thereupon Rendered as the Causes and Matters above by the Said John Gresham for Errors Assigned for that it Seems to his Said Lordships Court now here that Neither in the Record and process aforesaid nor in Rendering the Judgment aforesaid it is in anywise Erred and that Record in Nothing Vicious or Defective in Law It is therefore Considered that the Judgment aforesaid in every thing be Affirmed and Stand in its full force and Effect the aforesaid Causes and matters for Errors above Assigned in any Wise Notwithstanding and it is further Considered by his Said Lordships Said Court Now here that the Said Thomas Gassaway recover of the Said John Gresham pounds to the Said Thomas Gassaway by the Court here [599] now of his Assent Adjudged According to the form of the Statute thereof Lately made and provided for his Costs and Charges Sustained by reason by reason [sic] of the Delay of the Execution of the Judgment aforesaid by pretext of prosecuting his Lordships Writt of Error and that the Said Thomas Gassaway have therof his Execution etc.