

Eodem Die July 22^d 1723

[D.D.] John Gresham Daniel Dulany and Thomas Humphreys

v

[TB:] Thomas Gassaway

His Lordships Justices of the Provincial Court Transmitt to his Lordships Gov^r and Council of the Province aforesaid Sitting as a Court of Appeals and Errors the following Record on an Appeale made by the Said John Gresham Daniel Dulany and Thomas Humphreys from the Judgment of the Provincial Court rendered for the said Thomas Gassaway against them. The Tenor of which follows in these words Ss.

In the Records and proceedings of the Provincial Court of Maryland amongst other things is Contained as follows Viz^t

At a Provincial Court held at the City of Annapolis in the County of Annarundell for the Province of Maryland on the Second Tuesday of Aprill being the 10th day of the Same Month in the Seventh year of the Dominion of the Right Hon^{ble} Charles absolute Lord and Proprietor of the provinces of Maryland and Avalon Lord Baron of Baltemore etc. Annoque Domini 1722

Were Present: The Hon^{ble} Col^l Samuel Young Chief Justice; James Stoddart Esq^r; W^m Lock Esq^r, Justices. Henry Lazenby Sher. Vachel Dentone C^lk

[T:B:] Thomas Gassaway v [D:D:] John Gresham Daniel Dulany and Thomas Humphreys Esq^{rs}

Memdum the Said John Gresham Daniel Dulany and Thomas Humphreys Esq^{rs} Sued out his Lordships Writt of habeas Corpus the Tenour of which follows in these words Viz^t

MARYLAND ss^t Charles absolute Lord and proprietor of the provinces of Maryland and Avalon Lord Baron of Baltemore etc. To the Justices and Sher of Annⁿ County Greeting Whereas a Certain John Gresham of Annarundell County Esq^r Daniel Dulany of Annarundell County Esq^r and Thomas Humphreys of Annarundell County Gent a^ls Dicti John Gresham Daniel Dulany and Thomas Humphreys are detained in the prison of our Said County under the Custody of you our Said Sher at the Suit of a Certain Thomas Gassaway in a plea of Debt for the Sum of Twelve Thousand Six hundred and fifty four pounds of Tobacco which Said plea as it is Said Still depends before you our Said Justices undetermined And We being Willing for divers Causes that the plea aforesaid Underdetermined as aforesaid Shall be heard and Determined before the Justices of our Provincial Court Therefore [600] Command you that you have the bodys of the Said John Gresham Daniel Dulany and Thomas Humphreys by Whatsoever name they be called in the plea aforesaid together with the Day and Cause of their Caption and