

Anno Domini 1722 aforesaid that the Said Thomas Gassaway recover Ag<sup>t</sup> the Said John Gresham Daniel Dulany and Thomas Humphrys his Debt af<sup>d</sup> and his Damages by Occasion of the Detaining of the Same debt to the Sum of Nine hundred and thirty Nine pounds of Tobacco to the af<sup>d</sup> Thomas Gassaway of his Assent by the Court here adjudged And the af<sup>d</sup> John Gresham Daniel Dulany and Thomas Humphrys in Mercy etc.

Afterw<sup>ds</sup> to Witt in the Same Court or Term the afores<sup>d</sup> John Gresham Daniel Dulany and Thomas Humphrys pray an appeale from the Judgment of this Court So as aforesaid rendered to the high Court of Appeals Which is granted upon giving Security for the Due prosecution thereof According to Law

Thereupon Afterw<sup>ds</sup> in the Same Court or Term the aforesaid John Gresham Daniel Dulany and Thomas Humphrys together with James Govane Gent and Charles Carroll Chyrurgeon both of Annarundell County their Sureties Come into Court And Acknowledge themselves to Owe and Stand Justly Indebted unto the Said Thomas Gassaway in the Sum of Thirty five Thousand pounds of Tobacco to be Levied On their or Either of their Bodys Goods or Chattles Lands or Tenements Joyntly and Severally to the use of the Said Thomas Gassaway According to Law In Case the Said John Gresham Daniel Dulany and Thomas Humphrys do not prosecute their Said appeale with Effect According to Act of Assembly in that Case made and provided.

In Testimony that the foregoing is a true Copy of the proceedings in the Cause af<sup>d</sup> I have hereunto Set my hand and affixed the Scale of the Prov<sup>t</sup> Court this 18<sup>th</sup> day of July Anno Dom 1722

per Vachel Denton Clk Cur pvin

And Now here this 17<sup>th</sup> day of July Anno Dom 1722 Comes the Same John Gresham Daniel Dulany and Thomas Humphrys into his Lordships High Court of Appeals and Errors by the Said Daniel Dulany their Attorney and Say that in the Record and process af<sup>d</sup> [605] and Rendering the Judgment afores<sup>d</sup> It is manifestly Erred Viz<sup>t</sup> It is Erred in this that the Judgment is rendered for the Said Thomas Gassaway ag<sup>t</sup> the Said John Daniel and Thomas Humphrys Whereas by the Law of the Land Judgment Ought to have been rendered for them Against the Said Thomas Gassaway for which and many other Errors as well in the Record and process as rendering the Judgment aforesaid the Said John Daniel and Thomas Humphrys pray the Judgment aforesaid be reversed and held for none and they to all things thereby lost may be restored etc. And the Said Daniel Dulany prays his Lordships Writt to forewarn the Said Thomas Gassaway to be before his Lordships Governour and Council at Annapolis to hear the Record and process aforesaid and it is Granted unto him Therefore Command is given to the Sherriff of Annarundell County that he Should Make known unto the Said Thomas Gassaway that he Should be and appear in the Said High Court of