

of October then next to hear their judgment of and Upon the Premises for that his said Lordships Court of Appeals And Errors here thereof Are not As Yet Advised. At Which Said first Tuesday [798] Of October being the first Day of the same Month Anno Dom: Seventeen hundred and twenty Eight Before his Lordships Governour and Council afores<sup>d</sup> Sitting as a Court of Appeals and Errors at the City of Annapolis afores<sup>d</sup> Comes as well the said Thomas Nelson lessee afores<sup>d</sup> by his attorney aforesaid As the Said John Beale by his attorney afores<sup>d</sup> And Because his Lordships Court of Appeals and Errors now hereof their Judgment of and Upon the Premises to render are not as Yet Advised further Day is Given As well to the said Thomas Nelson lessee afores<sup>d</sup> As the afores<sup>d</sup> John Beale from the said first Day of October at the City of Annapolis Afores<sup>d</sup> Untill the first Thursday of February then next to hear their judgment of and Upon the Premises for that his said Lordships Court of Appeals and Errors here thereof are not As Yet Advised. At Which said first thursday of February being the Sixth Day of the same Month Anno Dom: Seventeen Hundred and twenty Eight Before his Lordships Governour and Council afores<sup>d</sup> Sitting as a Court of Appeals and Errors at the City aforesaid Comes as well the said Thomas Nelson lessee afores<sup>d</sup> by his attorney afs<sup>d</sup> As the said John Beale by his Attorney Afores<sup>d</sup> And Whereupon all and Singular the Premises by the Court here being Seen and fully Undrstood and Diligently Examined and Inspected As well the Record and Process afores<sup>d</sup> And the judgment thereupon rendered As the Causes and Matters aforesaid above by the same Thomas Nelson lessee afores<sup>d</sup> for Errors Assigned for that it seems to his said Lordships Court now here That Neither the Record and Process afores<sup>d</sup> Nor in rendering the judgment afores<sup>d</sup> it is in Anywise Erred And that Record in Nothing is Vicious or Defective in Law It is Therefore Considered that the judgment afores<sup>d</sup> in Every thing be Affirmed And stand in its full force and Effect The afores<sup>d</sup> Causes and Matters for Errors Above Assigned in Any thing Notwithstanding it is further Considered by his Said Lordships Court Now here that the Said John Beale Recover against the said Thomas nelson lessee afores<sup>d</sup> three thousand five Hundred and forty Eight pounds of Tobacco to the Said John Beale by the Said Court now here of his Assent Adjudged According to the forme of the Statute thereof lately Made and Provided for his Costs and Charges Sustained by Reason of the Delay of the Execution of the judgment Afores<sup>d</sup> by Pretext of his Prosecuting his Appeale from the judgment of the Provinciaall Court for Correcting of Errors And that the said John Beale have thereof Execution etc:

[799] Whereupon Afterwards on the Eighteenth Day of February Anno Dom: Seventeen Hundred and Twenty Eight Nine in the same Court or terme Edmond Jennings Attorney of the said Thomas Nelson Lessee of John Diggs as Aforesiad Prays an Appeal from the judgment of this Court So as afs<sup>d</sup> Rendered to his Majesty in Council Which was Granted by the