

plaint we have rec^d as by the record and process thereupon between the Said parties af^d by Virtue of our Writt for Correcting Errors to our Said Justices directed And we being willing that the Error if any be Should in due manner be Corrected and full and Speedy Justice done to the Said partys in this behalfe Do Command You that by honest and Lawfull men in your Bailywick You make known to Benjamin Hall and Mary his wife Ex^{rs} of the Said Bowling Deceased That they be and Appear before our Governo^r and Councill att our Court Constituted for hearing Appeals and Writts of Error to be held att the Port of Annapolis the 28th day of June next to hear the Errors aforesaid if to them it Shall Seem Convenient and further to Stand to and Abide the Judgment of our Said Court in this behalfe and hereof faile not att your peril and have you there this Writt Wittness Nathan^{ll} Blakiston Esq^r Cap^t Gen^{ll} and Governo^r in Chief in and over our Province of Maryland this 24th Day of May in the 11th Year of our Reigne Annoque Dni 1699.

R: Carvill Edw^d Batson Clk.

On the Back of w^{ch} writt was Endorsed thus Viz^t

By Virtue of the within precept I have Cited and Summoned the Within Named Benj^a Hall and Mary his wife Ex^{rs} of James Bowling Before the Hon^{ble} Col^o Jn^o Courts and Rich^d E^{ld}ing Two Lawfull men of my Bailywick that they be and Appear as the within Writt Commands

per Joⁿ Bayne Sherr

Gerrard Slye v Bowlings Ex^{rs}

MARYLAND ss. Errors assigned by Gerrard Slye for reversing a Certain Judgment given ag^t him in the Prov^{ll} Court the 19th day of October 1682 att the Suite of James Bowling pl^t Dec^d

It is Contained in the Record that upon the 17th day of Feb^y in Year of our Lord 1681 Command was Given to the Sherriffe of [146] S^t Marys County to take the Body of Gerrard Slye of S^t Marys County Merch^t So that he Should have him before the Justices of the prov^{ll} Court to be held att the City of S^t Marys the 28th day of Feb^y Instant to Answer unto James Bowling of a plea that he hold wth him Covenant made between them According to the force forme and Effect of a Certain Writing Indented thereof Between them and which to hold he ought etc. But it is not Sett forth from whence the Command Came whither from the Governo^r and Councill, Chancellor, Comissary or Justices of the Prov^{ll} Court nor doth it Appear that the Sherr by Virtue of the Said Writt or precept had taken the Body of the Said Gerrard Slye without which he Could not be Legally brought to Answer the Suite of the pl^t for the Originall Writt and returne of the Sherriffe is the foundation of the Suite and which all Subsequent Matters Depends upon the want of which no Legall Judgment Could be given ag^t the Defend^t which is Error and for which reason he prays that the Judgment aforesaid may be Annulled made void reversed and Sett aside.