

without any Evidence or Writings produced to prove the matter of fact imposed & charged upon the said Defendant, And no person sued or accused for the breach of any personall Statute can be legally Condemned without sufficient proof, confession of the party or his refusal to plead

And the said Judgment is Given in this, That there is no more charged or alledged against the Defendant in the Declaration, Then that the said Defendant did by sending of his Boat to Richard Hart transport him out of this Province to the Defrauding of Credits Contrary to an Act of Assembly in that case made Anno One thousand five hundred seventy four, And the Justices of the said Court have Rendered Judgment, That the said Richard Walker (the Defendant) is guilty in breaking the Act of Assembly in conveying away Richard Hart out of this Province, Whereas the bare sending of a Neighbour a Boats does not make the sender Guilty of the breach of the said Act

And hereupon the said Richard Walker sayth that in the Record and procces aforesaid as also in the Rendering of Judgment aforesaid, It is manifestly Given in the Error aforesaid by him informed aforesaid alledged, And prayeth that the Judgment aforesaid be Reversed and annulled and held for Nought, And that hee to those things wch hee by occasion of the said Error hath lost be Restored, And that the said Thomas Lomas to the Error aforesaid may Answer, And the Record procces and Error aforesaid being read and heard the said Thomas Lomas by his Attorney aforesaid prayeth License to Imparole thereupon untill next Provinciall Court, and it is Granted unto him the said days given to the said Richard Walker Likewise

Now here at this day (to witt) the Eleaventh day of October in the fourth year of the Dominion of Charles Lord Baltimore &c. Anno Domini One thousand five hundred seventy nine and the said parties by their Attorneys aforesaid and the said Thomas Lomas by his said Attorney sayth, That in the Record and procces as also in the Rendering of Judgment aforesaid there is nothing Given, and prayeth the Court of the said Lord Proprietary here may proceed unto Examination as well of the Record and procces aforesaid as of the matters aforesaid above for error assigned, and that the Judgment also may be affirmed

And the said Richard as formerly sayth that in the Record and procces as also in the Rendering of Judgment aforesaid there is manifest Error, and prayeth as aforesaid that the Court will proceed to examination as well of the said Record and procces aforesaid as of the matters above assigned for Error, And the said Thomas also

And hereupon the Record and procces aforesaid to the rendering the Judgment thereupon, and the aforesaid causes and matters above by the aforesaid plaintiff for Error assigned being seen and by the Justices here fully understood and diligently Examined, And for that appearing to the said Justices by the first reason for Error assigned that in the Record and procces aforesaid as also in the Rendering of Judgment aforesaid it is manifestly Given, Therefore it is considered that the Judgment aforesaid for the Error in the Record and procces aforesaid be Reversed annulled and altogether held for nothing, and that the said Richard Walker unto all things wch by occasion of the Judgment aforesaid hee hath lost be Restored, and that the said Richard Walker Recover against the said Thomas Lomas the sum of One thousand five hundred fifty eight pounds of Tobacco for his Costs of Suits in this behalf expended

Charles absolute Lord & Propy of the Province of Maryland and Avalon Lord Baron of Baltimore &c. to the Sheriff of Dorchester County greeting Wch command yo^e that you take Anne O'Brien Aff^{ee} be found in yo^r Dalweck and her said Suits so that you have her body before our Justice at our County Court holden for the said County the first tuesday in June next to answer John Rawlings's plea