

Liber W. C. writt in this Suite was sued out the third day of september 1680 Returnable the fifth day of October following, And the said Theophilus and Alice say That from the said Ninth day of August 1677 To the said Third day of September 1680 is three yeares and three weekes, soe that the said ac̄on of the said John and Elizabeth against them in manner and forme aforesaid comenced is by the Statute aforesaid barred, and this they are ready to averre, & thereupon Demand Judgment if the aforesaid John and Elizabeth their ac̄on aforesaid against them ought to have, Whereupon the Said plantiffes refuse to make any further prosecucon against the said defendants in the plea aforesaid Therefore Itt is Considered that the said John Bird and Elizabeth his wife take nothing by their writt aforesaid but bee in mercy for their false Claime thereupon, and that The said Theophilus and Alice may goe thereof without day, and that the said Theophilus Hacket and Alice his wife Recover against the said John Bird & Elizabeth his wife Ex^{ix} as aforesaid the sume of Nine hundred forty eight pounds of Tobacco for their Costs and charges by them about their defence in this behalfe Layd out and expended and the said Theophilus and Alice may have thereof Execucon

Gerrard Slye } Memorandum that the thirtyeth day of July in the
 ag^t } fifth yeare of the Dominion of Charles Absolute
 Joshua Doyne } Lord and Prop^{ry} of the Province of Maryland &
 Avalon Lord Baron of Baltemore &c Came Gerrard
 Slye by Robert Ridgely his Attorney before Philip Calvert Esq^r
 Chancello^r of this Province, and prayed his Lopps writt of Erro^r to
 him the said Gerrard Slye to bee granted, To the Justices of his
 Lopps County Court of s^t Maryes County to bee directed. To require
 them the said Justices of the said County Court of S^t Maryes
 County to send before his Lopps Justices of his Provinciaall Court
 the Teno^r of the Record proceedings and judgment of the said
 County Court of S^t Maryes County in a Cawse lately there depend-
 ing betweene one certaine Joshua Doyne plantiffe and the said
 Gerrard Slye defendant in a plea of Trespasse upon the case, The
 Teno^r of w^{ch} writt followeth Viz

Charles absolute Lord and Prop^{ry} of the Provinces of Maryland
 and Avalon Lord Baron of Baltemore &c To Our Comission^{rs} of
 S^t Maryes County Greeting. Because in the Record and processe as
 also in the Rendring of Judgment before you in o^r sd Court manifest
 Erro^r hath happened to the greate damage of the said Gerrard Slye
 as by the greate Complaint of the said Gerrard wee have received,
 Wee willing that the Erro^{rs} (if any bee) should in due manner bee
 Corected, and full and speedy Justice to bee done to the said partyes
 in this behalfe, Doe Comand you that the Record and Processe of
 the said Judgment with all things touching the same, before our