

James Delaney -

Dft

John Dwyer Baker admt^r of Williams Roche deceased.

Dft

In Case

This day came the parties by their attorneys on the several sides, but his Honor the Judge of the Probate Court upon the hearing made on the 18th instant, held at Franklin Springs, found the trial thereof is before neither the right court

James Delaney and John Dwyer merchants and factors acting under the firm and style of John Dwyer & Co.

Dft

Henry Biggs claimant with the mill owners of Samuel (deceased) Esq^r

Henry Biggs admt^r with the mill owners of Samuel (deceased) Esq^r

James Delaney and John Dwyer merchants and factors trading under the firm and style of John Dwyer & Co.

Dft

This day came the parties by their attorneys on the several sides to hear the determination of the matter in difference between the parties, more particularly a rule of the Court at March Court 1813. This day returned their award in these words, "We the Jurors that over the unexecuted who were mutually chosen and appointed arbitrators as appear by an order of Court made at the several terms of Court aforesaid to settle all matters in difference existing between John Dwyer & Co. and Samuel Baldwin Defendants and Samuel (deceased) Esq^r and John Dwyer & Co. Defendants arising in the sale of Sugar to us at Franklin this 16th of June 1812 and having heard the testimony produced by the Parties in the above case, also maturely considered the same, do decide and award that Samuel Baldwin pay to John Dwyer & Co. the sum of Nineteen pounds Sixteen Shillings and four pence with interest thereon from the 28th of February 1808 till Paid, No further testimony than the contract for Sugar appears to us from the testimony to have been made by John Dwyer as the agent and friend of Delaney with the said Samuel Baldwin also that therefore the said Baldwin remain to responsible to Delaney for the two barrels of Sugar and that Delaney will be liable to the said Baldwin for any damage sustained by him not because of the contract not having been fully executed by the time we have heard off our evidence has held the Day and year first above written I Johnson, Esq^r Richd H. Baker Esq^r In Consideration whereof we have caused to be paid to John Dwyer & Co. the sum of One hundred and five Dollars and fifty one cents less

Joseph Stephens

- Appellant upon an appeal from

John Dwyer & Co.

to the Circuit Court of Virginia in the State of Virginia Justice of the Peace

Appellant the sum of Three Dollars and fifty one cents less

This day came the Parties by their attorneys and sheriff a transcript of the record of the judgment aforesaid being read are reflected I have to the Court here that the said Judgment is erroneous. It is however that the said Judgment must be removed as annulled as that the Appellant recover against the appellee to hold a writ in remitting the record before the Single Justice of the Peace a Writ setting his appeal open handed