by the Court here seeing heard and fully understood and mature deliberation being thereupon had for that it seems to the Court here that the said presentm.t & the matters therein contained are not sufficient in Law to compell the said Wm Smith to make answ.r thereto. It is considered by the Justices here this day & year last mentioned that the presentm.t of the Grand Jury and that the said Wm Smith go thereof without day. And thereupon the said Wm Smith is discharged paying fees.

Memd. that the said John Haggett sued out his ma.ties writ of Certiorari against the said Wm Smith &c. & gave Recd. to the Defend.t for

N.B. Her Ma.ty — } Memd. the said John Haggett sued out her ma.ties writ of Certiorari the tenor of w.ch follows in these words viz.t

Att John Haggett collier

ANNE by the grace of God of Great Britain France and Ireland Queen defend.r &c. to our faithfull &c. to our Justices of our peace in the County of Charles to keep and divers felonies trespasses & misdeeds in the said County committed to hear & determine assigned greeting we being willing that all presentm.ts Indictm.ts recognizances and inquisitions ag.st the forme of divers of our statutes whereof John Haggett of Charles County stands indicted or prosecuted before you or any of you should be heard & determined before the Justices of our prov.l Court and not yet where command you that the record and proceedings & all such matters and things as aforesaid depending as aforesaid under your hands & seales distinctly & openly you send & certifie to our Justices of our prov.l Court to be held at Annapolis the first tuesday of October next that our said Justices of our prov.l Court may further proceed thereon as to Justice appertaines hereof you are not to fail & send then there this writt Witness Wm Holland Esq.r Chief Justice of our said prov.l Court this 4.th day of Aug.st in the Eleventh year of our reigne & Anno Dom 1712

Wm Holland

All which said first tuesday of October to wit the Seventh day of the same month Anno Dom 1712 the Justices of the said County Court make return to the Court here of the foregoing writt to them directed the first in these words viz.t — The record and proceedings whereof within there is made mention with all things touching the same at the day within contained we send in a certain record to the writt annexed as it is commanded us

Signed Per Jno Rogers Clk

Charles County ss. This record & process in the return aforesaid specified follows in these words viz.t

At a County Court of our Sovereigne Lady Anne by the grace of God of Great Britaine France & Ireland Queen defend.r of the faith &c. held at Port Tobacco in said County on the twelfth day of Aug.st in the Eleventh year of the reigne of said Lady the Queen Anno Dom 1712 before the worshipfull

Col. Philip Hoskins Capt. Wm Hebert
Capt. Hen. Crabb Robt Eglet Gerard Fowke Edmund Howard
Gentl. Justices authorized Capt. Thos Deal high sheriff

In the record of the said Court's proceedings amongst other things is contained as viz.t Memd. that on the twelfth day of June last (at a Court held here) by the Bailiff of the Shire Robt Hanson John Thomas Matthew Barnes John Hicobalds John Dodson Joseph Harrison and John Hague Charles Jenny Wm Compton Phillip Jenkins Tom Pain Wm Howard George Deal George Brett John Hanson Jun.r Richd Morris good and lawfull men of the County of the County aforesaid who upon their Oaths do say that John Haggett late of Charles County planter William Carter late of Charles County planter otherwise Called John Haggett of the said County planter William Carter of Charles County Yeoman and William Wright of Charles County planter otherwise Called William Carter of Charles County planter otherwise Called William Wright of Charles County yeoman the twenty eighth day of April in the Eleventh year of the reigne of our said Lady the Queen at Broad Creek in the County aforesaid within the Jurisdiction of this Court with force and Arms (that is to say) with swords staves and guns and other weapons as well offensive as defensive and with strong hand into one Mansuage or plantation at Broad Creek aforesaid being the free land of Charles Lord Baron of Baltimore upon the poss.n of a certain Johanna Johnson widow tenant to the said Lord Baltimore of the Mansuage or plantation aforesaid with force and Arms and with strong hand did break and entre and made their entry and the said Johanna unlawfully and with force and arms & strong hand then and there did expell and cast out and the said Charles Lord Baltimore of his free tenement aforesaid of the Mansuage aforesaid unjustly and without judgment then and there by force and arms and with strong hands did depose and the said Johanna being so thereof dispossessed by force & arms and by strong hand from day & year aforesaid until the day of taking this Inquisition have held out and still do hold out in contempt of our Lady the Queen ag.st her peace to the evill Example of other Malefactors and contrary to the forme of the Statute in such Case made & provided &c. — Whereupon Came into Court Jno Haggett of Charles County planter and acknowledged himself to be indebted unto our Sovereigne Lady the Queen that now is in the summe of twenty pounds sterling and Sam Hanson of the same County Gent. his Ser.t in the summe of ten pounds of Lawfull money w.ch said summs they and each of them severally acknowledged for the summs and their Heirs to be made & levyed of their goods & chattels Lands & tenements to y.e use of the said Lady the Queen her heirs & successors rate whosoever hands they shall come &c. — On Condition that the said John Haggett do make his personall appearance at the next County Court to be held here on the second tuesday in August next & ans.r Total on her ma.ties behalf shall be Ordered ag.st him and in the mean time be of good behav.r and not to depart the Court without Licence — Whereupon it was Ordered and Decreed that the said Wm Carter & Wm Wright if &c. to come before the Justices at the next Court to be held here on the twelfth day of Aug.st next to answer total on her ma.ties behalf should be called and there objected ag.st them &c. — At which day to wit the said twelfth day of Aug.st came Dan. Dulany who for our Sovereigne Lady the Queen in this part followeth viz.t And the sheriff namely the said Thos Deal he was commanded now returneth that he hath made known to the said Wm Carter & Wm Wright that they be and appear at the day and place and before the Justices in the same writ Contained to answ.r &c. — And the said John Haggett Wm Wright and Wm Carter in their proper persons Came and produced to the Court here the writ of Certiorari to the Justices here directed the tenor in these words —

ANNE by the grace of God of Great Britain France & Ireland Queen defend.r of the faith &c. to our Justices of our peace in the County of Charles to keep and divers felonies trespasses and misdeeds in the said County committed to hear & determine assigned Greeting we being willing that all presentm.ts Indictm.ts recognizances and inquisitions ag.st the forme of divers of our statutes whereof John Haggett of Charles County stands indicted or prosecuted before you or any of you should be heard & determined before the Justices of our prov.l Court and not yet where Command you that the record and proceedings & all such matters and things as aforesaid depending as aforesaid under your hands & seales distinctly and openly you send and certifie to our Justices of our prov.l Court to be held at Annapolis the first tuesday of October next that our said Justices of our said prov.l Court may further proceed thereon as to Justice appertaines hereof you are not to fail and send you then and there this writt Witness Wm Holland Esq.r Chief Justice of our said prov.l Court this 4.th day of Aug.st in the Eleventh year of our reigne &c. Anno Dom 1712

Wm Holland

Whereupon it was ordered that the Clk make out transcript of the whole proceedings & Record w.th said writt to the Justices of said prov.l Court at the day therein specified as are by the same Commanded &c.

Vera Copia Per Jno Rogers Clk

And now here at this day to wit the Seventh day of October Anno Dom 1712 the County as well the said John Haggett by Daniel Hunt his attorney as Wm Bladen his ma.ties Ld Atty Gen.l who for her said ma.ty in this behalf prosecuteth into their ma.ties prov.l Court before the Justices thereof. And thereupon the said Wm Bladen her ma.ties said Atty Gen.l who for her said ma.ty in this behalf prosecuteth as aforesaid her ma.ties writ of Certiorari may be Quashed and that her ma.ties writ of procedendo may issue in the premisses aforesaid ag.st the said John Haggett Wm Wright and Wm Carter for not giving security according to the forme of the Statute in that Case made &c. — Whereupon all and singular the premisses being by the Court here seen heard and fully understood & mature deliberation being thereupon had for that it seems to the Court here that the said Jno Haggett Wm Wright & Wm Carter have not given security according to the forme of the Statute in the at Case made &c. — Therefore it is considered by the Justices here that her ma.ties writ of Certiorari aforesaid be Quashed. And it is commanded by the Court here that the said Justices of Charles County proceed in the Indictm.t & premisses aforesaid ag.st the said John Haggett Wm Wright & Edm Carter & that the said writ of Certiorari had never yet issued any thing in the said writ of Certiorari contained to the Contrary thereof notwithstanding —