Ireland Queen defender of the faith &c To our Justices and Sheriff of Kent County
Greeting Because in the record and process and also in the rendering Judgment of a
plea of trespass upon the Case which was in our Court before Us Dan: Blay Esq:
and his Associates Justices of Kent County aforesaid by our writ between Christopher
Bateman of Kent County Plaintiff pltf and John Whittington and William Swealman
both of Queen Anns County Gentl adm:rs & adm:trators of all and singular the goods and
Chattles rights and Credits of Dan: Battiurst Merch:t deceased at the time of his
death who dyed Intestate) defendant, and also in the awarding Judgment
thereon for the Sum of twenty one pounds Eighteen shillings and Sixpence
Curr:t Money damages, and two hundred Ninety one pounds of Tobacco Cost of
Suit, Manifest Error as it is said has happened to the great damage of the
said John Whittington and Wm Swealman adm:rs as appears of Record
we have read, and we being willing that the Errors if any there be should be
duely Corrected and full and speedy Justice done to the said parties in this behalf
Command you that if Judgment be thereof rendred, that then the record and process
aforesaid with all things thereunto relating under your Seals distinctly and openly ye
send and this writt so that we may have the same before the Justices of our
next Court to be held at the City of Annapolis the first Monday in October next
that the record and process aforesaid being inspected into, we may further doe thereon
for the Correcting the Errors what of right and according to the law and Custom
of our Kingdom of Great Brittain and of this our province of Maryland ought
to be to be done, We do also Command you our Sheriff of Kent County aforesaid that
you take from all manner of Execution Mariage the body offices and goods of John Whittington
and Wm Swealnam adm:rs of Dan: Battiurst aforesaid, or of any the goods Chattles
rights and Credits which were of the said Dan: Battiurst at the time of his
death for or by reason of the plea aforesaid you have taken in Execution upon
forthwith then bodies at large and them to their goods and Chattles aforesaid you
restore And that from all further molestations of the said John Whittington and
Wm Swealnam adm:rs aforesaid for or by reason of the plea aforesaid and the judgment
aforesaid thereon upon you all possible may cease and desist unto the plea aforesaid be by
our Justices of our next Court aforesaid fully heard and determined Witness
ourselves at the City of Annapolis this twenty first day of July in the
twelfth year of our reigne Anno Dom: 1711 Robt Hall Regr instituendis

At which said session Tuesday of October to wit the 3d day of the same
Month Anno Domi 1711 the Justices of Kent County Court aforesaid upon the
writt aforesaid were duelie made return thereof in the words & figures
The record and process together with all things thereunto relating into this
writt annexed - So answer Dan: Blay Clerk Justice of Kent County Court
Which record so as aforementioned follows in these words & figures

Kent County ss: In the records of said County Court amongst other things it is thus
Contained as followethi viz:

At a Court held for Kent County at the Court house in the town and port
of Chester on Chester river in the same County on the third day of March
By adjournment from the twelfth day of March last and continued the
fourth

July Court 1716

fourth and fifth days of April last in the twelfth year of the reigne of our Sovereigne
Lady Anne by the grace of God of Great Brittain France and Ireland Queen
defender of the faith Anno Domi 1711 - before

The worshipful ... { Lieut Col Dan: Blay, Capt Jos Harris, Capt Tom Pott, Capt David Scott, Mr Tom Comegys } Commissrs Present

Christopher Bateman pltf vs Jno Whittington & Wm Swealnam adm:rs Dan: Battiurst } Commanded it were to the Sheriff of Kent County the seventh day of June in the twelfth year of the reigne of Queen Anne how Mary Anne Bateman
that he take Jno Whittington & Wm Swealnam both of Queen Anns
County Gent adm:rs of all & singular the goods & Chattles rights & Credits
which were of Dan: Battiurst late of Kent County Merch:t deceased at the time of his death
who dyed Intestate & if they shall be found in his Bailywick and safe keep
so that he have their bodies before the said Mayor Justices in Court Judicially
sitting to answer unto Christopher Bateman of Kent County aforesaid Judicially
of a plea of trespass upon the Case and that he have then & there this writt
All which said Court Dig:t the same day last mentioned Samuel Nailor
Hynson Gent high Sheriff of said County aforesaid made Return thereof in these
words thereon indorsed Following viz:t Kent ss: Pursuant to the within
And the said defts by Thos Bowne their attorney prayed that they may
have a speciall Imparlance w:ch is granted and by Thomas Bowne their
attorney defend the force and injury &c and saving to themselves all
all manner of advantages and exceptions as well to the writt as to the declr of
him the said pltff pray liberty to imparle thereto and to answ:r unto that
w:ch is granted the same day is given to the pltff in like manner All which
said that Court Dig:t the first day of Aug:t in the year aforesaid the said Cause
standing for trycall came the said pltff by Jno Wellinger his attorney and the said
deft by Thos Bowne his attorney and the said pltff by his said attorney declared Dig:t
Kent County in Maryland ss: Jno Whittington & Wm Swealnam both of Queen
Anns Co:ty Gent adm:rs of all & singular the goods & Chattels rights & Credits
which were of Dan: Battiurst late of Kent Co:ty Merch:t deceased at the time of his
death who dyed Intestate &c were attached to answ:r unto Christopher Bateman
of Kent County of a plea of trespass upon the Case, and whereupon
the said pltff by John Wellinger his attorney complained for that whereas the
said pltff at divers times between the twenty eighth day of ~~August~~ April in
the year of our Lord Christ one thousand seven hundred and eight and the
twenty ninth day of August in the year of our Lord Christ one thousand
seven hundred & nine at the town of Batterfey in Kent County aforesaid in the
Jurisdiction of this Court at the special Instance and request of the said Dan: in his
lifetime made found and provided for divers persons workmen in the service
of the said Dan: and also for him the said Dan: pltff & necessary reasonable
anomodat