Tobacco by the Court here adjudged unto him for his Costs and mencing, in this Court on obtaining Execution of the Judgmt aft according to Act of Assembly in that Case made and provided &c.

Wm Jonathan Howard
Mrs Rachell Smith

Command was given to the Sherr of Calo that he should take Rachel Smith of Calo County wd if she should be found in his bailywick and he should safe keep so that he might have her body before Justices of this May Prov Court to be held at Annapolis the first Tuesday of May then next to Ans unto Jonathan Howard Merch of a plea of trespass on the Case &c and that there of he should not fail &c At which said first Tuesday of May to wit the first day of the same Month Lanno Domi 1716 being this day of the return of the said writt Comes the Sherr of Calo County to whom the aforegoing writt was directed and makes return thereof indorst — Cepi Wm John Browne Sherr

Whereupon the said Rachel Smith by Thos Mauemara and Danl Dulany her attorney Comes and defends the force and Injury when &c and for herself agt the said Jonathan Howard in the plea aft, But the said Jonathan Howard all his Solemnly Called Comes not but makes default nor does he further prosecute his writt in the plea aft agt the s Rachel Smith

Therefore it is Considered by the Justices here the day and year Last mentioned that the s Jonathan Howard and his Sureties &c be in Mercy &c and that the Names of the s Sureties be forfeit for &c and that the s Rachel Smith go thence without day &c And also it is Considered by the Justices here that aft Rachel Smith recover agt the s Jonn Howard the sume of 692 Pounds of Tobo by the Court here adjudged unto him for his Costs and Charges by him about his defence in this behalf laid out & expended according to form of the Statute in that Case made & provided &c

Wm Gerrard Slye
Wm John Kennan

Maryland ss
John Kennan of Saint Marys County Merchant was attached to answer unto Gerard Slye Gent of a plea wherefore with force and Armes on him the same Gerard at St Marys County

County an Assault he made and him hath beaten & wounded & Boilly treated so that of his Life it was Despaired and other harmes to him hath done to the Great damage of the said Gerard & agt the peace of the Lord the King that now is &c And whereupon the said Gerard Slye by Thomas Mauemara Bordley his Attorney Complaines that the aft John the third day of Aug in the Second year of the Reigne of the Lord the King that now is with force and Armes &c viz with swords fists teeth Staves and knives on him the said Gerard at St Mary's County aft an Assault hath made and him hath beaten wounded & Boilly treated so that of his Life it was Despaired and other harmes to him hath done to the Great damage of the s Gerard and agt the Peace &c Whereupon he saith he is the Worse and hath Lost to the value of Two thousand pounds Sted and therefore he brings the Suite &c

Pledges &c Wm Doe
John Roe

And the said John Kennan by Thomas Mauemara his Attny Comes and defends the force and Injury when &c and Prays Leave to Imparle Returnable until next Court and he hath it and the same day is given to the Pltf also At which said next Court to wit the first day of May Anno Domi 1716 Comes again as well the s Gerrard Slye by his Attny aft as the said John Kennan by his attny aft and the s John Kennan by his s Attny as before defends the force and Injury when &c as as to the Force in the s Armes saith he is Nothing thereof Guilty and of this he puts himself upon the Country and the Pltf in like Manner, and as to the Residue of the trespass and Assault aft above Supposed to be made the s John Kennan Saith that the s Gerrard Slye his Action aft agt him to have and Maintain Ought not because he saith that the said Gerrard the aft third day of Aug in the second year of the Reigne of the Lord the King that now is and at the Place in the said Decl mentioned upon the said Jno an Assault did make and him would have beaten wounded & Boilly treated whereby the s John himself agt the s Gerrard then and there defended and so the said John saith that if any damage or Loss to the s Gerard then & there happened it was of the s Gerrard's own proper assault and in ye defence of him the s Jno and this he is ready to verify wherefore he prays Judgmt if the aft Gerrard his Action aft agt him to have & Maintain Ought &c

And the aft Gerrard Slye saith that he by any thing spr alledged from having his Action aft Ought not to be precluded because he saith that ye aft John the day & year above s with force and Armes of his own proper Injury and without any Cause by the s Jno above alleged upon the same Gerrard at St Mary's County aft an Assault hath made and him hath beaten wounded and Boilly treated so that of his Life it was

(Despaired)