Recuited to take the Assize in his County if they shall before that time to-wit on Friday the Eleventh day of April next at the County Court house in the said County Comd twelve &c to recognize in form aft.— Afterwards the process Continued between the parties aft, on the plea aft, by the Jury being put thereon in respect hereunto the third Tuesday of May next unless the Justices of his Lordship the Lord Proprty to take the Assizes in the said County assigned on Friday the Eleventh day of April next at the County Court house in the said County should Come

And now Also at this Day to wit the 21st Day of May Anno Dom 1729 Comes into this Lordships Provincial Court as doth the said Roger Rightittle Lopez of John Digg by his Attorney aft, as the said William Coomes by his Attorney aft, and the Justices of Assize before whom &c said Court & their Record before them had in these words Viz

Afterwards to wit at the day and place last above mentioned before the Honourable Wm Doch Esqr one of his Lordships Justices of the Provincial Court of the Province aft, and John Smith Esqr one other of the Justices of the said Court Assigned to take the Assizes in Calvert County came the within named Roger Rightittle Lopez of the said John Digg by Wm Cumming & Wm Hochyngham his Attorneys and the said Wm Coom by Philip Key his Attorney and the Jurors of that Jury whose Names above made being called Likewise Came present, Henry Austin, John Byrne, Sutton Isaac, Wm Richman, Joshua Hardisty, Nathaniel Boreman, Joshua Sedwick, Henry Young, John Young, John Hunt, James Maulden and John Taylor who being Duly Elected tryed & Sworn to say the truth in the premisses upon their Oath do say that the said William Coomes is in no wise Guilty of the Trespass and Ejectment aft, as the plaint above against him hath declared

Mem, That before the Jury went from the Bar the Plaintiffs Attorney Offered to the Court here the following bill of Exception &c

Maryland ss

Be it Remembred That heretofore to wit the Eighteenth Day of May Anno Dom 1727 William Coomes late of Charles County planter was Attached to Answer unto Roger Right. Title of a plea wherefore with force and Arms in to that Tract parcell or Dividend of Land Called Barbados Situated Lying and being in Charles County and part of the Manor of Bangnor in the said County and Beginning on the East side of the Manner of Portobacco Creek at the bound White Oake of the Land formerly Laid out for William Hord and with the said Hords Line up a Small branch from the said Manner East to the bound Line of the said Hord and thence with a Continued Line East and bounding with the said Small Branch for the Length of Six hundred & forty perches to a bounded white Oake standing Close by the said Manner of Portobacco Creek

(a)

as aforesaid on the North Thence bounding with the said main Run to the first bounded Tree Cont & Laid out for One Thousand Acres with the Appurtenances Lying in Charles County aft, which John Digg to the said Roger Right Title &c demise for a Term of years & which not yet past hath entered and him from the farm aft hath ejected and other harmes hath done to the Great Damage of him the said Roger and against the Peace &c & therupon the said Roger by Simon Journey Complains that entered the aft, John Digg the Second Day of September in the year of Our Lord One Thousand Seven hundred & Twenty Six in Charles County aft, did Demise to the aft, Roger the aft, Tract a parcell of Land Called Barbados and Bachelors with the Appurt To Have and to Hold the same unto him the said Roger and his Assigns from the first Day of September then last past unto the End and Term of Seven years from thence next ensueing and fully to be Compleat and Ended by Vertue of which Demise the same Roger unto the aft, Tract or parcell of Land Called Barbados with the Appurts entered and was thereof possessed and the said Roger being so thereof possessed the aft, Wm Coomes afterwards to wit the said Second Day of Sept in the said year One Thousand Seven Hundred & Twenty Six with force and Arms &c into the aft, Tract of Land Called Barbados with the Appurtenances which the same John Digg so the said Roger in form aft, Demised for the Term aft, which not yet past entered and him from the farm aft ejected and other harmes to him hath done to the Great Damage of him the said Roger and against the peace &c Wherefore he Sayth he was the worse and hath Damage to the value of three hundred pounds Sterling and therefore he brought Suit &c

John Doe
Ejectors &c
Ri. Roe

And the said William Coomes by Philip Key his Attorney Comes and Defends the force and Injury when &c (And saith Defence According to the Statute a Warrant of Attorney to be entered in the Cause and Enters into the Common Rule) and prays Leave to Imparle thereunto until next Court and he hath it and the same day is given to the Plaintiff Also

At which said Court held the 17th day of October Anno Dom 1727 Comes again the said parties Plaint & Defendant by their Attorneys aft, and the said Defendant by the said Attorney prays further Leave to Imparle thereunto until next Court and he hath it and the same day is given to the Plaintiff Also — At which said Court to wit the 21st day of may Anno Dom 1728 — Comes again as doth the said Roger Right Title &c of the said John Digg by his Attorney aft, & the said William Coomes by his Attorney aft, and the said William Coomes by his Attorney aft and the said William Coomes by his said Attorney as before Defended the force and Injury when &c and that he is in no wise Guilty of the Trespass and Ejectment aft, in such Manner and Form as the plaintiff above against him hath Declared and thereof for Tryale puts himself upon the Country and the plaintiff Also

Whereupon the Tryale of the Issue aforesaid is by the Court here ordered to be had in Calvert County

Whereupon Command was given to the Sheriff of Calvert County that he cause to Come Before the Justices of this Provincial Court at Annapolis the third Tuesday of October next Before the Justices Appointed to take the Assizes in his County if they shall

(before)