the Constitution of the Kingdom of Great Britain & this Province a Longtime
Detained and other harms to him did to the Great Damage of the said John and
the Peace of the Lord Propry that now is & — And Wherupon the same
John by William Beckingham his Attorney Complains that the said William Smith the
Second Day of May Anno Domi One Thousand Seven hundred and twenty Six at
Baltimore County afs & within the Jurisdiction of this Court with Force and Arms
to wit Swords Staves & Clubs on him the said John an Assault Did make & him
the said John then & there Did beat Injure & Wilfully Wound & him the afs
John in Prison without any Reasonable Cause against the will of the said John &
against the Laws of the Kingdom of Great Britain and this Province for a Longtime
to wit for the Space of forty Days & Nights then & there Did detain & Keep &
other harms to him then & there Did to the Great Damage of the said John against
the Peace of the Right Honourable the Lord Propry that now is & therefore he
saith he is the worse & hath Damage to the Value of fifty pounds Sterling
& therefore he brings the Suit &c — Wilt Beckingham Plaintiff Pl. &c Ju. Doe and
Ri Roe — And the said William Smith on the first Tuesday viz the Fourth
Day of November Anno Domi One Thousand Seven hundred & Twenty Seven Cattle
which Time the same William by Joshua George his Attorney saving to himself
all Advantages as well to the Court & Jurors in this Action as the Declaration afs
has Liberty to Imparle from the first Tuesday of August then Last) by his
said Attorney Comes and Defends the Force & Injury when &c — And said
that he was in no wise Guilty of the Assault and Imprisonment afs as the said
John Swingyard against him hath Complained & for Trial thereof put himself
upon the Country, And the same John Swingyard for the Trial of
the Same aforesaid Afterwards viz on the Eighteenth day of November afs
Command was given unto Thomas Hardine Gent then Sheriff of the County
afs that he should Cause to Come before his Lordships Justices at the Town
of Joppa on the Seventh Day of March then next Twelve good & Lawful men
of the best and most Understanding Freeholders of his County afs by whom &
who neither &c to Recognize &c Because as well &c Untill which time the
process on this plea afs & all things thereto Relating was Between the parties
afs Accordingly Continued Wherupon now on this Seventh Day of March afs at
Joppa afs here Came as well the said John Swingyard as the said William —
Smith by their Attorneys afs but for as much as the said Sheriff hath
Brought here but ten of the twelve &c afs for the Trial of the Issue afs —
Command is again given unto him that he Immediately Cause to Come here
two of the Bilge men of his Bailywick for the Trial of the Same Issue with the

the Jurors afs Wherupon Afterwards on the said Day Came Again as well the Parties
afs by their Attorneys as the said Sheriff Who returns that he hath here Twelve
&c as before Commanded viz William Galloway, Walter James, Robert Dove, George
Dobinlar, Thomas Cleland, Richard Denver, Gregory Farmer Junr, Isaac Wood, William
Grafton Benjamin Jones Thomas Matthews and Thomas Geddings who being Elected
tryed & sworn Do Speak The Truth in the premisses & upon their Oath do Say that
the said William Smith is Guilty of the Assault & Imprisonment afs in manner and
form as the said John Swingyard against him hath Complained and Assess the —
Damages of the same John by Occasion as afs besides his Costs & Charges by him about
his Suit in this Court Laid out and Expended to Twelve pounds Sterling; Therefore it
is Considered that the said John Swingyard do recover against the said William
Smith the Sum of Twelve pounds Sterling his Damages aforesaid by the Jurors afs
assessed and also the Sum of two thousand six hundred and Thirty two pounds of Tob
unto the said John Swingyard of the Assent Adjudged for his Costs and Charges afs & the said
William Smith in Mercy &c Wherupon he the said William Smith by his said Attorney
prays Liberty to Appeal to the Adjournment of this Provincial Court which is accordingly
Granted And Thereupon the same William Smith Enters into a Bond with Sufficient Security
this Approved of by the Court for the Due prosecution of the said Appeal with Effect
pursuant to the Direction of an Act of Assembly in Such Cases made and Provided
which Bond follows in these words viz — Maryland Ball County, ss

To all men by these presents that We Wm Smith, John Hall Esqr, and Henry
Wolhead Gent — All of Baltimore County are held and firmly Bound unto John
Swingyard of Baltimore County his heirs Exors Admors or Assigns in the full and just
Sum of Twenty four pounds Sterling and Four thousand pounds of Tob Merchantable Leaf to be paid by
the afs William Smith his heirs Exors or Admors to the afs John Swingyard his heirs Exors
Admors or Assigns to the Witness our hands and Seales this Eighth Day of March —
Anno Domi Seven hundred & twenty Seven —

The Condition of the Above Obligation is such that if the Above bounden Wm Smith
shall not pursue the Directions of the Act of Assembly intituled an Act for Relating
Writs of Error and Granting Appeals from Courts to the Court of Common Pleas within
this Province at the next Provincial Court to be held at Annapolis & Prosecute his
the said William Smiths Appeal against the said John Swingyard made the Day afs
from the County Court of Baltimore to the Provincial and Also satisfy and pay to the said
John Swingyard his heirs Admors or Assigns in Case the Judgment of Baltimore County —
Court shall be Affirmed, as well All and Singular the Debt Damages and Costs the Judgment
by the County Court of Baltimore do Also all and Singular the Debt Damages and Costs
that shall be Adjudged by the Provincial Court in Case the said Judgment shall be

(Affirmed)