the Day and Year Aforesaid by the said William Cumming to the aforesaid Thos. Brooke Sheriff aforesaid, to Serve in form of Law was delivered and that by Virtue thereof the said Thomas Brooke having demanded Payment of the aforesaid four Hundred Pounds of Tobacco in the Name of the said William Cumming of the said Robert Pottinger who refused the Same afterwards & before the Day of the return of The said Writ to wit on the said Ninth Day of May in the Declaration aforesaid & mentioned at Prince Georges County aforesaid he the said Thomas Brooke at the request of the said William Cumming his Hands softly on the said Robert Pottinger did out. And the same Robt. Pottinger then there by his Body did take and Carry away and the same Robert Pottinger in his Custody at the Instance & request of the said William Cumming had & Detained for the Space of two Hours next Ensuing in Execution for the Damage aforesaid to wit until Such Time as the said Robert Pottinger Then said to the said Thos. Brooke for the use of the said William Cumming the aforesaid four Hundred Pounds of Tobacco which is the same Trespass aforesaid Battery and Imprisonment aft. whereof the said Robert Pottinger in Manner above Complains without that that the said William Cumming is Guilty of the Trespass aforesaid Battery & Imprisonment aforesaid or any Part thereof at any Time before the Suing the Writ aft. Since the return thereof and this he is ready to Verify. Wherefore he Prays Judgment of the said Robert Pottinger his Action aft. him to Have ought &c.

And the aforesaid Robert Pottinger Saith that he by anything by the aft. William Cumming above by Pleading alledged from having his action aforesaid against him ought not to be Precluded because he saith that the aforesaid William Cumming of his own proper Injury and without Such Cause by the Same William above by Pleading alledged upon the Same Robert at Prince Georges County aft. an assault did Make and him did Beat Wound & Evilly Treat & Imprison & in Prison there a long time to wit by the space of two days did Detain in Manner and Form as the aft. Robert above against him hath Complained and this he prayeth that it may be Inquired of by the Country. And the aft. William Likewise

Thereupon Command is given to the Sheriff of Ann Arundell County That he immediately Cause to Come here twelve Men by whom &c. who neither &c. Maccubbin Cont. (now here at this Day to wit the Day & year last mentioned & Makes return that he has here ready twelve &c. as by his Precept he was Commanded and now here afterwards to wit the Same Day and Year last mentioned Comes as well the said Robt. Pottinger by his Atty aft. as the William Cumming by his Atty. And the Jurors of that Jury Impannelled being called likewise Come to wit William Alexander Thomas Stocket John Worthington Dorsey Rezin Robert Davidge Joseph Nicholson John Maccubbin, Wm Grantham Wm Ramsey Zebulon Giles Thomas Nevett Robert Harriot Wright. who being duely Elected tryed and Sworn to say the Truth upon the Premises Upon their Oath Do Say & That the said William Cumming is not Guilty of the Trespass aforesaid Battery & Imprisonment as the aforesaid Robt. Pottinger above against him hath Complained

Therefore it is Considered by the Justices here that the aft. Robert Pottinger and his Pledges Pros. be in mercy for their false Clamour And that the said William Cumming go thence without Day. And also it is Considered that the said William Cumming

(recover)

Against the said Robt. Pottinger the Sume of

1788 Pounds of Tobacco by the Court here to him adjudged for his Costs and Charges by him about his Defence in this Behalf laid out and expended &c.

Ad. John Colvil
Dd. George Uriel } Baltimore County ss. Be it Remembered that heretofore to wit, the 15th Day of Octo. Anno Dominii 1734 George Uriel Mariner by Dan. Dulany Esq. his Att. Sued out his Lordships Writ of Habias Corpus ad. The Tenor whereof follows in these Words Viz.

Maryland ss. Charles Absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltimore &c. To the Justices & Sheriff of Baltimore County Greeting, Whereas a Certain George Uriel Mariner is Detained in the Prison of Our Said County under the Custody of you Our Said Sheriff at the Suit of a Certain John Calvill in a Plea of Trespass upon the Case which Said Plea as it is Said Still Depends before you our Said Justices undetermined & we being Willing for Divers Causes that the Plea aft. undetermined as aft. Should be heard & Determined before the Justices of Our Prov. Court Therefore Command you that you have the Body of the Said George Uriel by whatsoever Name he be called in the Plea aft. Together with the Day & Cause of his Caption & Detainer & all things thereto Relating before the Justices of Our Prov. Court to be held at Annapolis the third Tuesday of October Next, that Our Justices of Our Prov. Court may further Proceed therein as to Justice Appertains &c. Hereof fail not at your Peril & have you then there this Writ, Witness Levin Gale Esq. Chief Justice of Our said Court the 29th Day of May in the 19th Year of Our Dom. &c. Annoq. Dominii 1734.

(J. Dulany) Thos. Cecil Clk

And now here at this Day, to wit, the third Tuesday of Octo. being the 15th Day of the same Month Anno Dominii 1734 The Justices of Baltimore County Court in Compliance with the Writ aft. Send the Record & Proceeds in the Plea aft. before them had to the Justices of the Prov. Court here in the Words following Viz. —

Maryland Baltimore County ss. In the Records of Baltimore County aft. Amongst Other things is thus Contained Viz. —

At a Court of the Right Honble Charles Lord Baron of Baltimore Absolute Lord & Proprietary of the Provinces of Maryland & Avalon &c. Begun & held at the Court at the Town of Joppa in & for the County in the Province of Maryland on the first Tuesday (to wit on the Sixth Day) of August & there Continued untill & holden the tenth Day of the said Month in the twentieth Year of his Lordships Dom. &c. And in the Year Our Lord one thousand seven hundred & thirty four by & before his Said Lordships Justices & Other Officers thereunto Lawfully Authorized & Qualified Viz. —

The Worships: Mr. Wm. Hamilton. Mr. Wm. Hammond. Mr. Richd. Gist... } Mr. Thos. Sheridine. Mr. Thos. Warren... Mr. Philip Jones } Mr. Thos. Todd... & Mr. Aquila Dade } Gent. Justices

Edward Hall Shff. Hum. Wells Stokes Clk

John Colvill... George Uriell } Command was Given to the Sheriff of Baltimore County the thirteenth day of June

(for)