the Right Honourable the Lord Proprietor amongst other things it was
Enacted that where by any the Laws of this Province any fines Penalties or forfeitures
were made payable to or recoverable by the Kings Majesty or in his Name to any the
Uses in the same Laws expressed all such Fines forfeitures or Penalties should henceforward
be payable to the Right Hon.ble the Lord Propry. of this Province his Heirs &
Successors and be Recoverable by him or them or in his or their Name to the same
Uses as by those Laws are expressed And the aff. William Rumsey who as well &c
Saith that the aff. John Carman the act of assembly aff. not regarding on the Sixteenth
Day of July Anno Dom. Seventeen Hundred and thirty four at Cecill County aff. did
Cause to be transported out of this Province by Land ten Shiner or Rider of Neat
Cattle untaxed to wit from the Head of Bohemia River in Cecill County aff. in the
Province of Maryland to one other of his Maj.ties plantations to wit to Appoquinimy
in New Castle County on Delaware Bay under the Government of his Majesties
Governour Patrick Gordon Esq.r his Majesties Governour of the three lower Counties
on Delaware viz. Newcastle Kent & Sussex Counties on Delaware by which and by
force of the acts of assembly before recited the aff. John Carman hath forfeited the
Sume of fifty pounds Curr.t money of this Province the one half thereof to his said
Lordship to ward Defraying the Publick Charge of this Province the other half to
the said William Rumsey who as well &c by which action hath accrued to the said Lord
Propty. and the aff. William Rumsey who as well &c to have and require from the
aff. John Carman the aff. Sume of fifty Pounds Nevertheless altho. the aff. John
Carman at Cecill County aff. was often requested the aff. fifty pounds the same nor any
Part thereof to his said Lordship nor the aff. William Rumsey hath not paid but the
Same to pay as yet. altogether refused Wherefore the said William Rumsey who as
well &c Saith that he is the Worse and hath Damage to the Value of Sixty Pounds
Curr.t money of this Province And therefore for the said Lord Propty. as well as for himself
in form aff. he brings Suit &c

And now here at this Day to wit the Second Tuesday
of August aff. in the year of our Lord Seventeen Hundred thirty & four the aforesaid
John Carman in his proper Person comes & Defends the force and Injury when &c
and prayeth Leave to Imparle hereunto untill the Second Tuesday of November next
And he hath it the same Day is given to the same William who as well &c also
at which second Tuesday in November untill which Day the same John had leave to
Imparle Cometh again here as well the aff. William Rumsey who as well &c
by his atty. aff. as the aff. John in his proper Person which said William withdraws
from the Bench and the same John prays further Leave to Imparle hereunto
untill the Second Tuesday in March next and he hath it the same Day is given to
the aff. William who as well &c also at which said Second Tuesday Cometh again here as
well the same William who as well &c by his atty. aff. as the aff. John in his proper
Person and the said William Withdraws from the Bench and the same John as before
Defends the force and Injury when &c And by Protestation saith that the said

aforesaid and the Matter in the same contained is Insufficient in Law to which he hath no
Need nor by the Law of the Land is he held to Answer for Plea Nevertheless the said John
Saith that the aforesaid William Rumsey who as well for the said Lord Proprietor as for
himself prosecuteth &c his action aff. against him the said John Carman Ought not to
have Because he saith that he did not Cause to be transported out of this Province by Land
ten Shiner or Rider of neat Cattle to wit from the Head of Bohemia in Cecill County aff.
in the Province of Maryland to one other of his Majesties Plantations to wit at
Appoquinimy in New Castle County on Delaware Bay under the Government of his Majesties
Governour Patrick Gordon Esq.r his Maj.ties Governour for the lower Counties on Delaware viz.
New Castle Kent & Sussex Counties on Delaware as the above William Rumsey above
hath Declared against him and of this he puts himself upon the Country and the said
William Rumsey who as well for the said Lord Proprietor as for himself Prosecutes in the
Manner &c

Therefore Command was given to the Shff. of Cecill County
aforesaid that he Immediately Cause to Come here before the Justices aff. to bye
ye Issue aff. in form aff. Jurors &c who neither &c to recognize &c because
as well &c and the same Shff. now here to wit the same Day last mentioned Cometh
and Saith that he hath Caused to Come here a Jury of twelve &c as by the Precept aff. he
was Commanded which Jury being Called — Also Came to wit George Berry George Lawson
James Heath Jeremiah Larkins Thos. Sawerson Henry Parker Randall Dorsey Alexander
Armstrong William Lashley Moses Alexander Thomas Sharp Enoch Jenkins who the
truth in the premisses to say being Elected tryed and Sworn upon their Oath do say that the
aforesaid John Carman did Cause to be transported out of this Province by Land ten Shiner or
Rider of Neat Cattle untaxed to wit from the Head of Bohemia in Cecill County aff. in the
Province of Maryland to one other of his Maj.ties Plantations appoquinimy in New Castle County
on Delaware Bay under the Government of his Majesties Governour Patrick Gordon Esq.r for
the three lower Counties on Delaware viz. New Castle Kent and Sussex on Delaware in manner
and form as the aforesaid William who as well &c above against him hath Declared and Because
the Court here are not advised of the Judgement to be rendered in and upon the Premises
Day is given to the Parties aforesaid untill the Second Tuesday in June next at the Court House
on Elk River in Cecill County aff. the Judgement in and upon the Premisses to hear at which
Second Tuesday of June to wit the tenth Day of the same Month in the year of our Lord
Seventeen Hundred thirty & five at the Court House aff. Come again as well the same William
who as well &c by his atty. aff. as the same John in his proper Person and the same William
William withdraws from the Bench whereupon it is Considered by the Court here that the aff.
Said Propty. that now is and the aff. William Rumsey who as well &c recover against the aff.
John Carman the aforesaid Debt of fifty Pounds Curr.t money of Maryland aff. in the Writ aff. mentioned
in manner aff. forfeited whereof the said Said Propty. that now is, is to have the one Half according to the
form of the act of assembly aff. and the aff. William who as well &c the other half according to
the form of the act of assembly aff. and it is also considered by the Court here that the aff.
William who as well &c recover against the same John the Sume of fifteen Hundred and twenty
Eight Pounds of Tobacco to the same William who as well &c by the Court here assessed for
Damages by Reason of the Detention of that Debt as for his Costs and Charges by him about
his Suit in that Part expended of his assent adjudged and the aff. John is Merry