Henry Darnall in Company by the aforesd Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale after the death of the said Henry Lloyd & Joseph Swaine have been afterwards requested but the aforesd William Digges George Attwood & Henry Darnall in Company the same to the aforesd Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs Peregrine Stockdale Henry Lloyd & Joseph Swaine in the lifetime of the aforesd Henry Lloyd & Joseph Swaine or to the aforesd Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale after the Death of the aforesd Henry Lloyd & Joseph Swaine to pay have altogether refused & the aforesd William Digges George Attwood & Henry Darnall the same to the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale still do refuse & to the damage of the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale four thousand pounds Sterling & therefore they bring the Suit &c

Pledges &c John Doe & Richd Roe

A Copy of the aforegoing Declaration was made & sent with the Writ in the Plea aforesd.

At which said third Tuesday of October, to wit, the 17th Day of the same Month Anno Dom 1738 being the Day of the return of the aforegoing Writ came into his Lordships Provincial Court here the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale in Company by William Cumming their Attorney & the Sheriff of Prince Georges County to whome the same Writ was directed likewise comes & makes return thereof to the Court here thus Endorsed Viz.

Cepi & Copy left out time Henry Darnall
Non est Wm Digges & Geo: Attwood
Wm Murdoch Shff

Whereupon the said Henry Darnall being called Appears and at the Prayer of the Plfts by their Attorney aforesd the said Henry Darnall is by the Court here Adjudged to give Special Bail to the Action aforesd Thereupon a certain Walter Brooke of Prince Georges County Gentleman present here in Court undertakes for the said Henry Darnall that in case the said Edmund Saunders Abel Grant Humphry Fitzherbert Thos Gibbs & Peregrine Stockdale should recover Judgment in the Plea aforesd against the said Henry Darnall or that the said Henry Darnall shall be therein Convict that then the said Henry Darnall shall pay the Condemnation of the Court thereupon or Render his Body to the Custody of the Sheriff of Prince Georges County in Satisfaction thereof or that he the said Walter Brook will do it for him; and thereupon the said Henry Darnall in his own proper person comes & defends the force & Injury when &c and Prays leave to Imparle hereunto untill next Court they have it & the same Day is given to the Plfts also. Whereupon Command was again given to the Sheriff of Prince Georges County that he should take William Digges late of Prince Georges County Gentleman & George Attwood late of Prince Georges County Gentleman if they should be found in his Bailywick & them should safe keep so that he might have their Bodies before the Justices of this his Lordships Prov Court to be held at Annapolis the

(third)

third Tuesday of May then next to Answer unto Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale in Company of a Plea of Trespass upon the Case, and that there of the said Sheriff should not fail &c

A Copy of the aforegoing Declaration was made & sent with the last Writ in the Plea aforesd. At which said third Tuesday of May to wit the 15th Day of the same Month Anno Dom 1739 being the Day of the return of the aforegoing Writ came into his Lordships Prov: Court here the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale by William Cumming their Attorney & the Sheriff of Prince Georges County to whom the same Writ was directed likewise comes & makes return thereof to the Court here thus Endorsed Viz.

Cepi Wm Digges Non est George Attwood & Copy left in time
Wm Murdoch Sheriff PG.

Whereupon the said William Digges & George Attwood being called Appear and at the Prayer of the Plfts by their Attorney aforesd the said Wm Digges & George Attwood is by the Court here Adjudged to give Special bail to the Action aforesd Thereupon a certain Edward Spriggs of Prince Georges County Gent & Henry Sewell of St Marys County Gent present here in Court undertake for the said Wm Digges, And a certain Wm Digges Junr being likewise present here in Court undertakes for the said George Attwood that in case the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale should recover Judgment in the Plea aforesd against the said Wm Digges & George Attwood or that the said Wm Digges & George Attwood shall be therein Convict that then they the said Wm Digges & George Attwood shall pay the Condemnation of the Court thereupon or Render their Bodies to the Custody of the Sheriff of Prince Georges County in Satisfaction thereof or that the said Edward Spriggs & Henry Sewell will do it for the said Wm Digges, or that he the said Wm Digges Junr will do it for the said George Attwood. and thereupon the said Wm Digges George Attwood & Henry Darnall by Benjamin Young their Attorney Defend the force & Injury when &c and Pray leave to Imparle hereunto untill next Court they have it & the same Day is given to the Plfts also.

At which said next Court, to wit, the 16th Day of October Anno Dom 1739 Come again the said Parties Plfts & Defts by their Attorney aforesd & the said Defts by their said Attorney Pray further leave to Imparle hereunto untill next Court & they have it & the same Day is given to the Plfts also.

At which said next Court, to wit, 20th Day of May Anno Dom 1740 Come again the said Parties Plfts & Defts by their Attorney aforesd & the said Defts by their said Attorney Pray further leave to Imparle hereunto untill next Court & they have it & the same Day is given to the Plfts also.

At which said next Court, to wit, the 21st Day of October Anno Dom 1740 Come again as well the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale by their Attorney aforesd as the said Wm Digges George Attwood & Henry Darnall by their Attorney aforesd. And the said Edmund Saunders Abel Grant Humphry Fitzherbert Thomas Gibbs & Peregrine Stockdale altho solemnly called come not but make default, nor do they further Prosecute their Writ aforesd against the said Wm Digges George Attwood & Henry Darnall but Voluntarily suffers their Suit to be discontinued, Therefore It is considered by the Justices here that the said Edm: Saunders Abel Grant Humphry Fitzherbert Thos Gibbs & Peregrine Stockdale take nothing by their Writ aforesd but be in Mercy for their False Clamour, & that the said Wm Digges George Attwood & Henry Darnall go thereof without Day.