And now here at this day to wit the 16th day of May Anno Dom 1749 comes into his Lordships Provincial Court here as well the said Francis Lee by his Attorney afs. as the said William Ellegood by his Attorney afs. and the said Francis Lee by his said Attorney Prays it may be Enquired of by the County also

Whereupon for Trying the Issue afs. Command is given to the Sheriff of Dorchester County that he cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices Appointed to take the Assizes in his County if they shall before that time to wit on Monday the Eleventh day of September next to the County Court House in the said County come Twelve good and Lawfull Men of his Bailywick by whom &c. who neither &c. To Recognize &c. Because as well &c.

Afterwards the Process Continued between the Parties afs. in the Plea afs. by the Jury being put thereon in Respite here untill the third Tuesday of October next Unless the Justices of his Lordship the Lord Propry to take the Assizes in the said County Assigned on Monday the Eleventh day of September next to the County Court House in the said County shall come

And now here at this day to wit the said third Tuesday of October being the 17th Day of the same Month Anno Dom 1749 comes again into his Lordships Provincial Court here as well the said Francis Lee by his Attorney afs. as the said William Ellegood by his Attorney afs. And the Justice of Assize before whom &c. send here his Record before him had in these words Viz.

Afterwards to wit at the day and Place last abovementioned before the Honble Henry Hooper Esq. one of his Lordships Justices of the Provincial Court Assigned to take the Assizes in Dorchester County according to the form of the Act of Assembly in such Case made and Provided comes again as well the said Francis Lee by his Attorney afs. as the said William Ellegood by his Attorney afs. and the Jurors of that Jury whereof mention is heretofore made being Excaited likewise come to wit Benjamin Keene, John Stewart Jun., John Leompte Jun. Chas. Brown, Thomas Manning, William Jones, John Scott, John Cafom, Matthew Smith, John Stewart, Isaach Nicolls Jun. and Joseph Cox Gray who being duly Elected Tryed and Sworn to say the truth in the Premises upon their Oath do say that the said William Ellegood did Assume upon himself in such manner and form as the afs. Francis Lee above against him hath Complained and do Assess the Damages of the said Francis Lee by Occasion of the Premises afs. besides his Costs and Charges laid out and Expended to the Sum of fifty Seven Pounds Nineteen Shillings and three Pence Sterling and for those Costs and Charges to one Pound of Tobacco beyond Cost Expended &c. Test Jam Hall Clk

Therefore it is considered by the Justices here that the said Francis Lee Recover against the said William Ellegood as well the Sum of fifty Seven Pounds Nineteen Shillings and three Pence Sterling his Damages afs. by the Jurors afs. in form afs. Assessed as also the Sum of Pounds of Tobacco by the Court here unto him with his Assent Adjudged for his Costs and Charges by him about his Suit in this behalf laid

1619 lb

(out)

out and Expended and the said Defendant in Mercy &c. Test R Burdett Clk

Richard Hartswell vs Zachariah Wade } Command was given to the Sheriff of Prince Georges County that he should take Zachariah Wade late of Prince Georges County Planter if he should be found in his Bailywick and him safe keep so that he might have his Body before the Justices of his Lordships Provincial Court to be held at Annapolis the third Tuesday of May then next to Answer unto Richard Hartswell of a Plea wherefore with force and Arms upon the same Richard Hartswell at Charles County on Assault he did make and him did Beat Wound and Evilly Treat so that of his life it was Despaired and other Harms to him did do to the great Damage of the said Richard Hartswell and against our Peace &c. And that thereof he the said Sheriff should not fail &c.

And the afs. Richard Hartswell by William Cumming his Attorney Complains against the afs. Zachariah Wade in the Plea afs. as follows Viz.

Maryland fs. Zachariah Wade late of Prince Georges County Planter was attached to Answer unto Richard Hartswell of a Plea Wherefore with force and Arms upon the same Richard Hartswell at Charles County on Assault he did make and him did Beat Wound and Evilly Treat so that of his life it was despaired and other harms to him did do to the great Damage of the said Richard Hartswell and against the Peace of the Right Honourable the Lord Proprietary that now is his good Rule and Government &c.

And Whereupon the same Richard Hartswell by William Cumming his Attorney Complains that the afs. Zachariah Wade on the twenty fourth day of April in the Year of our Lord seventeen hundred forty and nine with force and Arms to wit Swords Cudgels Fists & Knives upon the same Richard Hartswell at Charles County afs. an Assault he did make and him did Beat Wound and Evilly treat so that of his life it was Despaired and other Harms to him then and there did do to the great Damage of the said Richard Hartswell and against the Peace of the Right Honourable the Lord Propry that now is Whereupon he says he is the Worse and hath Damage to the Value of five Hundred Pounds Sterling and thereof Suit is brought &c. Pledges &c. { John Doe & Rich. Roe

A Copy of which aforegoing Declaration was made and sent with the Writ in the Plea afs. At which said third Tuesday of May to wit the 16th day of the same Month Anno Dom 1749 being the day of the return of the aforegoing Writ comes the said Richard Hartswell by his Attorney afs. and the Sheriff of Prince Georges County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thereon Endorsed Viz.

Cepi & Copy out of time Osborn Sprigg Shff

And the said Zachariah Wade by Henry Dennale his Attorney comes and defends the force and Injury when &c. And Prays Leave to Imparle here untill untille next Court and he hath it and the same Day is given to the Plaintiff also

At which said next Court to wit the 17th day of October Anno Dom 1749 comes again as well the said Richard Hartswell by his Attorney afs. as the said Zachariah Wade by his Attorney afs. And the said Zachariah Wade by his said Attorney as before defends the

(force)