Appurtenances Containing One Hundred Acres of Elentable Land in St Marys County afs which said Close with the Appurtenances afs is and at the time when the Trespass afs is above supposed to be done was the Close Soil and Freehold of the said Richard whereof the said Richard at the time when the Trespass afs is above supposed to be done the Close afs as his own Close Soil & Freehold in the afs One Hundred Acres of Elentable Land with the Appurtenances broke & entered and the Grass afs as his own Grass there growing in the said One Hundred Acres of Elentable Land as his own Close Soil and Freehold with his feet in walking trod down & consumed and also the Trees afs as his own Trees there upon the Close Soil and Freehold in the said One Hundred Acres of Elentable Land growing cut down and carried away as it was Lawful for him so to do without that that the said Richard the Grass afs and also the Trees afs in the afs Close called Graves's swamp with his Feet in walking trod down & consumed cut down or carried away as the afs George above against him Complains and this he is ready to Verify whereof he prays Judgment if the afs George his Action afs thereof against him to have ought and so forth — As to the Second Plea of him the said Richard the afs George says that the same second Plea in manner and form above pleaded & the matter therein contained are insufficient in Law to preclude him the said George from having his Action afs against him the said Richard and that the said George to the said second Plea in manner & form above pleaded hath no need nor by the Law of the Land is bound to Answer and this he is ready to Verify whereof for want of a sufficient Plea in this behalf the afs George prays Judgment of the Trespass afs together with his Damages by Occasion of the said Trespass to him to be Adjudged and so forth And for Causes of Demurrer in Law the afs George according to the form of the Statute in such case lately made and provided shews here to the Court the following to wit For that the said Richard in the said second Plea does not Traverse the said George's Charge of the Trespass afs in Graves's Swamp and for that it is double uncertain & wants Form And as to the third Plea of him the said Richard the afs George Protesting that the same Plea and the matter therein contained are not sufficient in Law for the said Richard to preclude him the said George from having his Action afs against him the said Richard to which he hath no need nor by the Law of the Land is bound to Answer for Plea Nevertheless the afs George by Replying says that he the said Richard the Grass of him the said George in the Close afs called Graves's Swamp with his Feet by walking there trod down and consumed and the Trees of him the said George cut down and carried away as the afs George above against him hath Complained and this he prays may be inquired of by the Country and the afs Richard in like manner and so forth

Whereupon for Trying the Issue afs Commandment is given to the Sheriff of Saint Marys 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 Thursday the nineteenth Day of September next to the County Court House in the said County come Twelve Good and Lawful Men of his Bailywick by whom &c: who neither &c: To Recognize &c: Because as well &c:

Afterwards the Court continued between the Parties afs in the Plea afs by the Jury being past thereon in Respite here until the third Tuesday of October next unless the Justices of this Lordships the Lord Proprietary to take the Assizes in the said County Assigned on Thursday the nineteenth Day of September next to the County Court House in the said County shall come

And now here at this Day to wit the third Tuesday of October being the 15th day of the same Month Anno Domi: 1752 comes into this Lordships Provincial Court here as well the said George Graves by his Attorney afs as the said Richard Fenwick by his Attorney afs

(But)

But the Sheriff hath not sent his Writ Whereupon this Cause standing for Trial this Court at the request of both Parties Plaintiff and Defendant and by their consent it is ordered that the said Cause be Referred to George Plater Esqr and Abraham Barnes Gentn and ordered by the same Court that the said Arbitrators make their Award in writing under their Hands and Seals and return the same to this Court and Judgment of the Court to be rendered according to such Award as of this Term and be final between the said Parties according to the form of the Statute &c: with Power to examine Evidences on Oath by Consent of both Parties Plaintiff and Defendant

Whereupon the Arbitrators afs Pursuant to the order afs return to the Court here the following Award viz: Whereas there is an Action of Trover & Conversion pleaded depending in the Provincial wherein George Graves is Plaintiff against Richard Fenwick Defendant for the putting an end to which the Parties have referred the same to the final Determination of George Plater and Abraham Barnes Now know ye that We the Referees having heard and fully and maturely Considered the Proofs and Allegations of both Parties are of Opinion that the Plaintiff hath no Cause of Action and that he pay the Defendant his Legal Cost of Suit at which time came likewise before Us Francis Noble, Thomas Greaves, William Field, Thos Greaves Junior, Joseph Black and proved two Days attendance each and Richard Cooper, Samuel Cooper, Edwd Fields, Thos Greaves Junr & Sebastian Thompson on behalf of the Plaintiff and proved one Day attendance each Richard Wakeland, William Hedges, James Hedges proved two Days attendance each on behalf of the Defendant and Nicholas Cresick and James Thompson one Day each all which We truly Certifie to the Honble Justices of the Provincial Court Witness our Hands and Seals this 15th day Feb: 1753

Geo: Plater (Seal)
A Barnes (Seal)

Which being read and heard It is therefore Considered by the Justices here that the said George Graves take nothing by his Writ afs but be in Mercy for his false Clamour &c: And that the said Richard Fenwick go thereof without Day And it also Considered that the said Richard Fenwick Recover against the said George Graves the Sum of 210lbs Pounds of Tobacco by the Court here unto him on his Against Adjudged for his Costs and Charges by him about his Defence in this behalf laid out and Expended and that he have thereof his Execution &c:

Test R Burdett Clk

The George Buchanan
a
Henry Haislip.

Maryland Charles County ss: Be it Remembered That heretofore to wit the 19th Day of September Anno Domi: 1752 Henry Haislip late of Charles County Bricklayer was attached to Answer unto George Buchanan of a Plea wherefore with force and Arms &c: at the County afs he the said Henry upon him the said George an Assault did make & him did beat wound and wilfully treat so that of his life it was despaired and other Harms to him the said George did to the great Damage of the said George and against the Peace &c:

And Whereupon the said George by Jeremiah Chase his Attorney Complains that the afs Henry on the nineteenth Day of July in the Year of our Lord One Thousand seven hundred and fifty two in Charles County afs with Fist and Arms and so forth to wit with Fists Staves Whipps and Clubs on the said George an Assault did make and him the said George then and there did Beat Wound & wilfully treat so that of his life it was greatly despaired and other Harms to him the said George then & there did to the great Damage of him the said George and against the Peace and so forth whereof the said George saith he is the worse & hath Damage to the Value of One Hundred Pounds Current Money and therefore he brings suit and so forth

Pledges &c: { John Doe
Rich Roe

(Said)