do Present that John Wilmot late of Baltimore County aforesaid Planter not having the fear of God before his Eyes but being moved and seduced by the Instigation of the Devil on the thirtyeth Day of March in the year of our Lord one thousand seven hundred fifty and six about ten of the Clock in the Forenoon of the same Day at Baltimore County aforesaid with Force and Arms made an assault in and upon one Robert Green then and there being in the Peace of God and of the said Lord Proprietary and that the said John Wilmot at the County aforesaid did Feloniously wilfully and of his Malice forethought strike and wound the said Robert Green with a Wooden Staff of the Value of six Pence which the said John Wilmot had and held then and there in both his Hands and did Feloniously and of his Malice forethought at the County aforesaid Give to the said Robert Green one mortal Wound with the Staff aforesaid in and upon the left Side of his Head near his Temple of the length of two Inches and of the depth of one Inch of which said mortal Wound the said Robert Green of Baltimore County aforesaid instantly died and so the said Jurors upon their Oath aforesaid say that the said John Wilmot on the aforesaid thirtyeth Day of March in the year of our Lord one thousand seven hundred and fifty and six at Baltimore County aforesaid did feloniously wilfully and of his Malice forethought Kill and murder the said Robert Green in Manner and Form aforesaid against the Peace of the said Lord proprietary his good Rule and Government

Robert Hokes Pros.
By appointment of the Court

Witnesses
William Burton
Stephen Burton
William Hall
Jethro Lynch Wilkinson
Edward Hart
} Jurr.

Test Thomas Johnson Jun Clk

on the Back of the foregoing Bill of Indictment was then endorsed Viz. A True Bill

A Garrett foreman. And the aforesd John Wilmot being called upon appears at the Bar of the Court here under the Custody of the Sheriff of Baltimore County to whose Custody for the Crime aforesd he was heretofore committed and being demanded how he of the Premises in the Indictment aforesd above on him imposed will acquit himself says that he is in no wise thereof guilty and for Tryal thereof he puts himself upon God and the County and Robert Hokes Gent who for his said Lordships in this Behalf prosecutes likewise Whereupon for trying the Issue aforesd Commandis given to the Sheriff of Baltimore County that he immediately cause to come here twelve good & lawfull Men of his Bailiwick by whom &c. who neither &c. to recognize &c. because as well &c. of whom said Precept the said Sheriff to wit Charles Christie Gent makes Return that he has here ready twelve &c. by the said precept he was commanded to wit John Hall of Swan Town Daniel Macomas jun. Luke Griffin George Kistard William Rogers Samuel Smith Benjamin Rachelle Thomas Walthon William Bennett Joshua Hall Samuel Webb and John Hammond Dorsey who being duly elected tryed and sworn to say the Truth in the Premises upon their Oath do say that the said John Wilmot is not Guilty of the Murder in the Indictment aforesd above imposed on him in manner and form as therein charged against him and the Jurors aforesd upon their Oath aforesd further say that the said John Wilmot is guilty of feloniously killing the said Robert Green in the Indictment aforesd mentioned on the Day and year and at the Place therein mentioned

Whereupon the said John Wilmot moves in Arrest of Judgment that the Indictment aforesd is insufficient Thereupon for that the Court here are not advised of their Judgments of and upon the Verdict aforesd and Premises judgment is respited to be Given on the said Verdict to the

(Consideration)

Consideration of the next provincial Court to be held at Annapolis the third Tuesday of May next and the same Day is Given to the said John Wilmot to hear there of his Judgment of and upon the Verdict aforesd & Premises then there And it is order that the said John Wilmot enter into Recognizance in the Sum of four hundred Pounds Current Money like Money for his appearance at the Next Provincial Court to stand to and abide by the Judgment of the said Provincial Court of and upon the Verdict aforesd & Premises in the Mean Time to keep the Peace and be of Good Behaviour and not to Depart the same Court without Leave thereof

Thereupon the said John Wilmot acknowledges himself to owe & stand justly indebted unto his Lordship the Right Honble the Lord Propry in the Sum of four Hundred Pounds Current Money and Nicholas Ruxton Gay and Laban Hicks of Baltimore County his Securitys Present here in Court in their proper persons Likewise acknowledge themselves to owe and stand justly indebted unto his said Lordship in the Sum of two hundred pounds like Money each to be levied of the Goods & Chattels Lands and Tenements of them the said John Wilmot Nicholas Ruxton Gay and Laban Hicks respectively to the Use of this said Lordship his Heirs and Successors On Condition that if the said John Wilmot do and shall make his personal Appearance at the next Provincial Court to be held at Annapolis the third Tuesday of May next to stand to and abide by the Judgment of the said Provincial Court of and upon the Verdict aforesd and Premises in the mean Time do keep the Peace and be of Good Behaviour and do not Depart the same Court without Leave thereof then this Recognizance to be void otherwise of full force and Vertue

Test Thomas Johnson Jun Clk

And now here at this Day to wit the said third Tuesday of May being the 18 Day of the same Month and Dom 1756 Comes into his Lordships Provincial Court here as well Henry Darnall Esqr his said Lordships Attorney General Who &c. as the said John Wilmot in his proper person Thereupon the said John Wilmot is demanded why Judgment shall not pass against him &c. of and upon Verdict and Premises aforesd The said John Wilmot prays the Benefit of his Clergy to be Granted him in the Premises aforesd

Therefore it is considered by the Justices here that the said John Wilmot be Burnt in the Brawn of the thumb of the Left Hand with the Letter M.

Whereupon the said John Wilmot produces to the Court here his Lordships Pardon Granted unto him in the following Words & Viz

Maryland