The County aft always was and still is ready to pay unto the aforesaid James the Price agreed upon for the Transporting and Delivery the aforesaid Tobacco Nevertheless the aforesaid James his promise and Assumption aft so as aforesaid made not regarding but minding & fraudulently intending him the said Hezekiah in this Behalf Craftily and Subtilly to deceive and defraud four Hogsheads part of the aft six Hogsheads of Tobacco to him the said John Buchanan at London aforesaid to wit at the County aft according to his promise and Assumption aft hath not delivered altho to do the aft James was afterwards to wit on the day and year last aft at London aforesaid to wit at the County aforesaid by the said John Buchanan Requested, but the aforesaid four Hogsheads of Tobacco to him the said John Buchanan to deliver hitherto altogether refused and still doth refuse wherefore the said Hezekiah saith he is the worse and hath damage to the value of Forty pounds Sterling and therefore he brings Suit and &c. ——— Pledges Pro Jno Doe and Pro Roe ———

And the said James Hall by Daniel Dulany his Attorney comes and defends the force and Injury when &c. and prays leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 12th day of March anno Dom 1754 come again the said parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 11th day of June anno Dom 1754 come again the said parties Plaintiff and Defendant by their Attorneys aft and the said Defendant by his said Attorney prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 13th day of August anno Dom 1754 come again the said parties Plaintiff and Defendant by their Attorneys aft and the said Defendant by his said Attorney prays further to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 12th day of November anno Dom 1754 comes again as well the said Hezekiah Magruder by his Attorney aft as the said James Hall by his Attorney aft and the said James Hall by his said Attorney as before defends the force and Injury when &c. and produces to the Court here his Lordships Writ Habeas Corpus the Tenor whereof follows in these words viz.

Maryland



Maryland ss. Frederick absolute Lord and Proprietary of the Province of Maryland and Avalon, Lord Baron of Baltimore &c. To the Justices and Keeper of Anne Arundel County Greeting. Whereas a certain James Hall late of Anne Arundel County Planter is detained in the prison of our said County under the custody of you our said Sheriff at the suit of a certain Hezekiah Magruder of a plea of Trespass upon the Case which said plea and it is duly still depends before you our said Justices undetermined & we being willing for divers Causes that the plea aforesaid undetermined as aft. shall be heard and determined before the Justices of our Provincial Court Therefore We command you that you have the Body of the said James Hall by whatsoever name he be called in the plea aforesaid together with the day and Cause of his Caption and Detainer and all things thereunto relating before the Justices of our Provincial Court to be held at Annapolis third Monday of May next that our said Justices of our Provincial Court may further proceed thereon as to Justice appertains the Laws of our Land do not forbid and have you then and there this Writ. Witness John Bruce Esq. Chief Justice of our said Provincial Court the 23d day of October in the fourth year of our Dominion & Tenure Dominii 1754 (Dulany)

Filed Nov. 15th 1754 allowed pr Jno Bruce, R Burnes Clk

Which being read and heard was allowed of and the Record and Proceedings together with all things thereunto relating are adjudged to be transmitted to the next Provincial Court accordingly.

In Testimony whereof the Private Seal of Anne Arundel County Court aforesaid is hereto affixed this Twenty Eight day of April anno Dom 1755 — By John Bruce Clerk Cur.

(Seal)

And now here at this day to wit the 20th day of May anno Dom 1755 comes into his Lordships Provincial Court here as well the said Hezekiah Magruder by Stephen Bordley his Attorney aft as the said James Hall by Daniel Dulany his Attorney aft and the said James Hall by his said Attorney prays leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 21st day of October come again the said parties Plaintiff and Defendant by their Attorneys aft and the said Defendant by his said Attorney prays further leave to imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also. At which said next Court to wit the 18th day of May anno Dom 1756 comes again as well the said Hezekiah Magruder by his Attorney aft

(Day)