The Execution of the within Writ appears by the Transcript hereunto Annexed to Answers.

Mouat —

To which aforegoing Writ was Annexed the following Record —

Ann Arundel County ss. In the Records and Proceedings of Ann Arundel County Court amongst other things is contained as follows Viz.t Ann Arundel County ss. At a County Court of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. Begun and held at the City of Annapolis in and for the County aforesaid on the Second Tuesday of November being the Ninth day of the Same Month and in the Sixth Year of his Said Lordships Dominion &c. Anno Dom. 1756

Were Present

The Worshipful — James Mouat Gent: Chief Justice; Alexander Warfield; Richard Dorsey; John Howard Son Benj.a; Thomas Jennings; John Ijams; Hinsey Johns; Henry Howard &; Ephraim Howard — Gent: Justices —

John Raitt Gent. Sheriff. and John Brice Clk

Ats. Caleb Dorsey Quitam a DD. Thomas Spriggs — Ann Arundel County to wit Thomas Sprigg late of Ann Arundel County Gent. was Summoned to Answer unto the Right Honourable the Lord Proprietary that now is and Caleb Dorsey who as well for the Said Lord Proprietary as for himself in this behalf Prosecuteth in a Plea that he render unto the Said Lord Proprietary and the Said Caleb Dorsey the Sum of Five thousand Pounds of Tobacco which to the Said Lord Proprietary and the Said Caleb Dorsey he Owes and unjustly detains &c. And whereupon the Said Caleb who as well and so forth by Stephen Bordley his Attorney Saith that the aforesaid Thomas after the Tenth day of October Seventeen hundred and twenty two to wit on the Sixteenth day of November in the Year of our Lord One Thousand Seven hundred and fifty five at Ann Arundel County aforesaid within the Jurisdiction of this Court One Bounded White Oak Tree of him the Said Caleb who as well and so forth Standing and being in the Woods near a small Road leading from a Plantation of the Said Thomas to the Dwelling House of the Said Caleb in the County aforesaid being the Second Bounded Tree of a certain Tract or parcel of Land of him the Said Caleb who as well and so forth Situate and being in the same County and called and known by the name of Moore's Morning Choice Enlarged Containing One Thousand Seven hundred and Sixty Six Acres of Land whereof the Said Caleb who as well and so forth on the day and Year last aforesaid and long before was and Still is Seized to wit at Ann Arundel County aforesaid cut down and destroy Contrary to the form of the Act of Assembly in Such Case made and provided whereby Action hath accrued to the said Caleb who as well and so forth from the aforesaid Thomas the aforesaid Quantity of Five Thousand Pounds of Tobacco Nevertheless the aforesaid Thomas altho often required the aforesaid Five Thousand pounds of Tobacco to the Said Lord Proprietary and the Said Caleb who as well and so forth

(or)

or either of them hath not rendered But the same to them the Said Lord Proprietary and Caleb who as well and so forth to render hath altogether refused and Still doth refuse wherefore the Said Caleb who as well and so forth Saith he is the Worse and hath Damage to the Value of five thousand pounds of Tobacco and therefore as well for the Said Lord Proprietary as himself he bringeth Suit and so forth —

Pledges and so forth John Doe & Richard Roe —

And the said Thomas Spriggs by Daniel Dulany his Attorney comes and defends the force and Injury when and so forth and prays Leave to Imparle hereunto untill next Court and he hath it and the Same day is given to the Plaintiff also

At which Said next Court to wit the Ninth day of March Anno Dom. 1756 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 untill next Court and he hath it and the Same Day is given to the Plaintiff also —

At which said next Court to wit the eighth day of June Anno Domini 1756 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 untill next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Tenth day of August Anno Domini 1756 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 untill next Court and he hath it and the same day is given to the Plaintiff also —

At which said next Court to wit the Ninth day of November Anno Domini 1756 Comes again as well the said Caleb Dorsey who as well and so forth by his Attorney aforesaid as the said Thomas Spriggs by his Attorney aforesaid and the Said Thomas Spriggs by his Said Attorney as before defends the force and Injury when and so forth and produceth to the Court here his Lordship's Writ of Habeas Corpus the Tenor whereof follows in these words Viz.t Maryland ss. Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices and Sheriff of Ann Arundel County Greeting Whereas a certain Thomas Sprigg late of Ann Arundel County Gent. is detained in the Prison of our Said County under the Custody of you our Said Sheriff at the Suit of a certain Caleb Dorsey who as well for Us as for himself in this behalf Prosecuteth of a Plea of Debt which Said Plea as it is Said still depends before you our Said Justices undetermined and We being Willing for divers Causes that the Plea aforesd. undetermined as aforesaid shall be heard and determined before the Justices of our Provincial Court therefore We Command you that you have the Body of the Said Thomas Sprigg 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 the third Tuesday of May next that our said Justices may further proceed therein as to Justice appertains &c. Hereof fail not at your Peril and have you then and there this Writ Witness John Brice Esq.r Chief Justice of our Said Provincial Court the 26th day of October in the 6th Year of our Dominion &c. Anno Dom. 1756 Issued Nov.r 10th 1756 — Allowed & Geo: Stewart (D Dulany) W. Sligh Clk

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

In Testimony whereof the Publick Seal of Ann Arundel County Court aforesd is hereunto affixed this twenty third day of December Anno Domini 1756 —

LS

John Brice Clk