At which day here came as well the aforesaid Shadrach Claywell as the aforesaid George Buchanan and William Hamilton by their Attorneys aforesaid and hereupon the said George and William pray further Leave thereof to Imparle here untill next Court to be held at Princes Ann Town the third Tuesday of June then next following and they have it and the same day is given to the aforesaid Shadrach here also &c.

At which day here came as well the aforesaid Shadrach Claywell as the aforesaid George Buchanan and William Hamilton by their Attorneys aforesaid and hereupon the said George and William pray further Leave thereof to Imparle hereuntill next Court to be held at Princes Ann Town the third Tuesday of August then next following and they have it and the same day is given to the aforesaid Shadrach here also &c.

At which day here came as well the aforesaid Shadrach Claywell as the the aforesaid George Buchanan and William Hamilton by their Attorneys aforesaid and hereupon the said George and William pray further leave thereof to Imparle hereuntill next Court to be held at Princes Ann Town the third Tuesday of November then next following and they have it and the same day is given to the aforesaid Shadrach here also &c. — At which day here came as well the aforesaid Shadrach Claywell as the aforesaid George Buchanan and William Hamilton by their Attorneys aforesaid and hereupon the said George and William as before defends the force and Injury when &c. and prays Judgment of the Declaration aforesaid of the said Shadrach because they say that the Declaration aforesaid and the matter therein Contained in manner and form as the aforesaid Shadrach above against them hath declared is not Sufficient in Law for the aforesaid Shadrach his Action aforesaid thereof against them the said George and William to have and maintain to which said Declaration the said George and William have no need nor by the Law of the Land are in any wise held to Answer and this they are ready to verify wherefore for want of a Sufficient Declaration in this part the said George and William pray Judgment of the declaration aforesaid and that the same may be Quashed —

And the aforesaid George and William by Leave of the Court according to the form of the Statute in Such Case lately made and provided Come and further defend the force and Injury when &c. and say that they did not Assume upon themselves in manner and form as the aforesaid Shadrach above against them hath declared and of this they put themselves upon the Country and so forth. and the aforesaid Shadrach in like manner —

And the said Shadrach says that by any thing preallegged by the aforesaid George and William the Declaration of him the said Shadrach to Lease Ought not because he says that the Declaration aforesaid and the matter in the Same Contained are good and Sufficient in Law to maintain the Action of the said Shadrach against them the said George and William which said Declaration and matter in the Same Contained the said Shadrach is ready to verify and Prove &c. and because the aforesaid George and William to that Declaration have not Answered nor to the same as yet in any sort gainsaid the said Shadrach prays Judgment and his Damages by means of the Premisses to him to be adjudged and so forth —

Whereupon as to the Issue above Joined whereof the parties aforesaid have put themselves upon the Judgment of the Court the Premisses being Seen and by the Court here fully understood and Mature Deliberation thereupon had it Seemeth to the Court here that the Declaration aforesaid of the said Shadrach

(and)

and the matter in the Same Contained are good and Sufficient in Law to maintain the Action of the said Shadrach against them the said George and William for which reason the aforesaid Shadrach Claywell his Damages against the aforesaid George Buchanan and William Hamilton by Occasion of the Premisses Ought to recover and because it is Convenient that there should be but one Taxation of Damages in this behalf therefore let stay the Issuing of the Writ of Inquiry of Damages aforesaid against the aforesaid George and William by Occasion of the Premisses untill the Issue on the County aforesaid above Joined between the Parties aforesaid be tryed Thereupon as to the trying of the Issue on the County aforesaid above Joined between the parties aforesaid Command is given to the Sheriff of the County that Immediately he should cause to come before the Justices of his Lordships County Court of Somerset now Sitting at Princes Ann Town this Instant November Twelve good free and Lawful men of the County aforesaid (whereof every one hath a freehold in the said County) by whom the truth of the Premisses aforesaid may be the better known and who neither the aforesaid Shadrach Claywell nor the aforesaid George Buchanan and William Hamilton touch by any Affinity to Recognize upon their Oath of and upon the Premisses aforesaid because as well the aforesaid Shadrach as the aforesaid George and William have put themselves upon that Jury And afterwards in the Same Court before the Justices thereof came as well the aforesaid Shadrach Claywell as the aforesaid George Buchanan and William Hamilton by their Attorneys aforesaid and the Sheriff to wit Henry Ballard Gent. Sheriff of the County aforesaid returned the aforesaid Writ of Venire facias and the names of the Jurors in all things therein and executed and the Jurors of that Jury thereof Impanneled being called Some of them to wit Joseph Dashiell Levin Woolford, Whitty Turpin, William Adams, Thomas Pollet, Spencer Harris, John Elzey, Joseph Scrivener and William Revell came and were Sworn upon that Jury and because the residue of the Jurors of that same Jury did not appear therefore others of the Bystanders by the Sheriff of the County aforesaid hereunto Elected and at the request of the aforesaid Shadrach Claywell and by the Command of the aforesaid Justices are newly put on whose names to the Pannell within written are filed accordingly to the form of the Statute in Such Case made and provided which Same Jurors so newly put on to wit James Polk, Lorable King and James Gray being called likewise Came who to say the truth of the Premisses aforesaid together with the other Jurors aforesaid before Impanneled and Sworn being Elected tryed and Sworn upon their Oath say that the aforesaid George Buchanan and William Hamilton did Assume upon themselves in manner and form as the aforesaid Shadrach above against them hath Complained and Assess the Damages of the same Shadrach by Occasion of the Nonperformance of the Promise and Assumption aforesaid beyond his Costs and Charges by him about his Suit in that part approved to forty Nine Pounds Seventeen Shillings and ten pence halfpenny Sterling and for those Costs and Charges to one pound of Tobacco —

Therefore it is Considered that the aforesaid Shadrach Claywell recover against the aforesaid George Buchanan and William Hamilton his Damages aforesaid by the Jurors aforesaid in form aforesaid Assessed as also five Hundred and Sixty five Pounds of Tobacco for his Costs and Charges aforesaid to the Same Shadrach by the Court here of his Assent of Increase adjudged which certain Damages in the whole amount to forty Nine Pounds Seventeen Shillings and ten pence halfpenny Sterling and five hundred and Sixty Six pounds of Tobacco and the aforesaid William and George in Mercy &c. —

Whereupon the said George Buchanan and William Hamilton by their Attorney aforesaid prayed here in Court pray an Appeal from the Judgment of this Court so as aforesaid rendered against them unto the next Provincial Court to be held at the City of Annapolis which is by the Court here unto them granted

(Thereupon)