being given to the plaintiff now here also

At which said first Tuesday that is to say now here at this day to wit the third Day of June Anno Dom 1760 come again the parties aforesaid by their Attorneys afs. and the afs. Thomas Johnson Attorney for the said James Spalding produces to the Court here his Lordships Writ of Habeas Corpus thereupon the Court orders a Transcript to be made out and sent to the Honble the Justices of the Provincial Court

In Testimony that the foregoing is a true Transcript from the Original Records of St Marys County Court the Publick Seal thereof is hereto affixed this 2d Sept. 1760

Rich Ward Key Clk of the County Court afs.

And now here at this day to wit the 4th Day of September Anno Domini 1760 comes into his Lordships Provincial Court aswell the said Henry Spalding by his Attorney aforesaid as the said James Spalding by his Attorney aforesaid and the said James Spalding by his said Attorney prays leave to imparle hereunto untill the next Court and he hath it and the same Day is given to the said Henry Spalding also

At which said next Court to wit the 15th Day of April Anno Domini 1761 Come again the said parties plaintiff and Defendant by their Attorneys 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 said plaintiff also

At which said next Court to wit the 8th Day of September Anno Domini 1761 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 said plaintiff also

At which said next Court to wit the 13th Day of April Anno Domini 1762 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)

and he hath it and the same Day is given to the said Plaintiff also

At which said next Court to wit the 4th Day of September Anno Domini 1762 Come again as well the said Henry Spalding by his Attorney aforesaid as the said James Spalding by his Attorney aforesaid and the said James Spalding by his said Attorney as before / defends the force and injury when and so forth and saith that he is not guilty of the premisses as the aforesaid Henry hath above against him Complained and of this he puts himself upon the Country and so forth and the aforesaid Henry Spalding in like manner and so forth

And the aforesaid James with the Leave of the Court here according to the form of the Statute in such case lately made and provided further defends the force and injury when and so forth and saith that the aforesaid Henry his Action aforesaid against him to have or maintain ought not because he saith that the Cause of Action aforesaid whereof the aforesaid Henry hath above Complained against him the said James did not first Accrue to him the said Henry at any time within three Years next before the Impetration of the Original Writ of him the said Henry in this Cause and this he is ready to verify and so forth wherefore he prays Judgment if the aforesaid Henry his Action aforesaid against him ought to have or maintain &c.

And the aforesaid Henry as to the second plea of him the said James he saith that by any thing therein alledged from having or maintaining his Action afs. against him the said James he ought not to be precluded because he saith that the Cause of Action aforesaid whereof the said Henry hath above Complained did Accrue to him the said Henry within three Years next before the Impetration of the Original Writ of him the said Henry above impetrated to wit at the County afs. and this he prays may be enquired into by the Country &c. And the aforesaid James in like manner &c.

Whereupon for Trying the Issue aforesaid Command is given to the Sheriff of Ann Arundel County that he immediately cause to come here twelve good and Lawfull men of his Bailiwick by whom &c. who neither &c. to Recognize &c. because aswell &c. of which said Precept the said Sheriff to wit Ninsey Johns Esquire makes return that he has here ready Twelve &c. as by his said Precept he was Commanded to wit Nicholas Worthington Foreman John Stoops Ebenezer Reynes John Brooks John White William Martin Reason Rowles Richard Fridge George Middleton Stephen Garland William Smith & Henry Keene who

(being)