Whereupon for trying the issue aforesaid Command is given to the sheriff of Baltimore County that he cause to come before the justices of the provincial Court at Annapolis the third Tuesday of October next before the justices appointed to take the assizes in the county if they shall before that time to wit on Tuesday the first day of September to the County Court house in the said County come twelve good and lawful men of his bailiwick by whom &c. who neither &c. to recognize &c. because as well &c. Afterwards the process continued between the parties aforesaid in the plea aforesaid by the Jury being put thereon in respite hereunto till the third Tuesday of October next unless the justices of his Lordship the Lord proprietary to take the assizes in the said County assigned on Tuesday the first day of September next to the County court house in the said County shall come. And now here at this day to wit the 20th day of October Anno Domini 1767 come again as well the said Mary Wightwick, William Russell and Thomas Russell by their attorney aforesaid as the said Robert Long by his attorney aforesaid but the sheriff hath not sent his writ and the said Mary Wightwick, William Russell and Thomas Russell suggest to the court here that since the last continuance the said Osgood Gee and John Price two of the Plaintiffs are Dead. And thereupon as well the said Mary Wightwick, William Russell & Thomas Russell as the said Robert Long by their respective attorneys aforesaid do suggest to the court here that a material Witness in this cause is beyond the seas and therefore pray a further day may be given them for the trial thereof whereupon with consent of the parties aforesaid day is further given to the same parties here for the trial thereof whereupon for trying the issue aforesaid Command is again given to the sheriff of Baltimore County that he cause to come before the justices of the provincial court on the third Tuesday of may next or before the justices appointed to take the assizes in his county if they shall before that time to wit on Tuesday the fifth day of april next to the County Court house in the said County come twelve good and lawful men of his bailiwick by whom &c. who neither &c. to recognize &c. because as well &c. Afterwards the process continued between the parties aforesaid in the plea aforesaid by the Jury being put thereon in respite here until the third Tuesday of May next unless the justices of his Lordship the Lord proprietary to take the assizes in the said County assigned on Tuesday the fifth day of April next to the County court house in the said County shall come. And now here at this day to wit the said third Tuesday

(of)

of May being the seventeenth day of the same month in the year of our Lord one Thousand seven hundred and sixty eight come again into the provincial Court here as well the said Mary Wightwick, William Russell and Thomas Russell by their attorney aforesaid as the said Robert Long by his attorney aforesaid and the said justices before whom &c. have sent here their record in these words to wit.

Afterwards to wit at the day & place last aforementioned before the honorable John Hepburn and John Beale Bordley Esq.rs two of his Lordships Justices of the provincial Court assigned to take the assizes in Baltimore County according to the form of the act of Assembly in such case made and provided comes again as well the said Mary Wightwick, William Russell and Thomas Russell by their attorney aforesaid as the aforesaid Robert Long by his attorney aforesaid and the Jurors of that Jury whose mention is before made made being called likewise come to wit Joshua Hall, John Day, son of Wm, Thomas Johnson, Dan Cook, Thomas Bond son of John, John Lowe, Neil Wheile, William Randall, William Lynch, William Ashmore, Benjamin Amos, William Witt and Thomas Archer who being duly Elected tried and sworn to say the truth in the premises upon their oath do say that the said Robert Long is Guilty of the Trespass &c. in the Declaration aforesaid mentioned in manner & form as the aforesaid Osgood Gee, Mary Wightwick, William Russell, Thomas Russell and John Price above against him have complained, and do assess the Damages of the said Mary Wightwick, William Russell and Thomas Russell by Occasion of the premises &c. besides their costs and charges by them about their suit in this behalf laid out and expended to five Shillings Sterling Money.

Therefore it is considered by the court here, that the said Mary Wightwick, William Russell and Thomas Russell recover against the said Robert Long the said sum of five shillings sterling money their Damages aforesaid by the Jury aforesaid in form aforesaid assessed, as also the sum of five Thousand five hundred and fifty one and one half pounds of Tobacco, for their costs and charges by them about his suit in this behalf expended, to them by the court now here, with their assent adjudged: and the said Robert Long in mercy and so forth.

Test. Reverdy Ghiselin Clk.

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