October Term 1781

And the said Benjamin Roberts doth also acknowledge himself to owe and stand justly indebted to the State of Maryland in the Sum of Ten pounds specie in case Asael Roberts shall not make his personal appearance at the next General Court to be held at the City of Annapolis the second Tuesday of October next to give evidence on behalf of the State of Maryland against the above named Henry Howard and John Vaughan and not depart that Court without the leave thereof. And it is now here ordered that the proceedings aforesaid be transmitted according to the directions of the aforegoing writ of Certiorari.

Seal — In testimony whereof I have hereto set my hand and the Seal of my Office this fifth day of October in the year of our Lord one thousand seven hundred and Eighty one

William Gibson Clk Bldt

And the said Henry Howard John Vaughan Benjamin Roberts Martha Roberts and Asael Roberts being called upon to make their personal appearance according to the Tenor of the aforegoing Accognizances come not but make default Thereupon at the prayer of Luther Martin Esquire the States Attorney General the said Accognizances are severally respited and continued until next Court.

State
a
John Vaughan £50
Henry Howard £50
Benjamin Roberts £30

Memorandum the Defendant sued out the States Writ of Certiorari which follows in those words and figures to wit

The State of Maryland Gt. To the Justices and Clerk of Baltimore County Greeting. We being willing for certain Reasons to be certified of the record and proceedings of a certain presentment or Indictment found in Baltimore County Court against a certain John Vaughan for assaulting Benjamin Roberts and Asael Roberts Do command you that the Record and proceedings on the said presentment or Indictment or on any other Criminal process whereof the said John Vaughan stands charged before you for committing the assault aforesaid with all things thereunto relating as far as before you it remains to our Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next under your hands and seals Ye send together with this writ that our said Judges may further do therein that which of right they see ought to be done. Witness the Honorable Robert Hanson Harrison Esquire Chief Judge of our said Court the 25th day of May Anno Domini 1781

Thos. Brooke Hodgkin Cd.

Issued 26th Sept. 1781. (R Ridgely)

Allowed by A. C. Hanson.

And now here this Court to wit the second Tuesday of October being the ninth day of the same Month Anno Domini 1781 The Justices and Clerk of Baltimore County Court transmit to the Court here the following Record to wit.

Baltimore County to wit At a Court of the State of Maryland held at the Court house in Baltimore Town in and for the County of Baltimore aforesaid the Tuesday before the Monday preceding the first Tuesday in October in the year of our Lord one thousand seven hundred and Eighty one for the trial of all felonies and other crimes offences and Misdemeanors committed in the said County of Baltimore

Present

Andrew Buchanan, John Merle, Thomas Sollers, George Lindenberger, John Merryman, Robert Lemmon, Peter Shepherd, George Lux, Chr. Ridgely of Wm. — Gent Justices

October Term 1781

Job Garrettson Esq. Sheriff — William Gibson Clk

Among other were the following proceedings Viz.

State
a
John Vaughan

Be it remembered that heretofore at a Court of the State of Maryland held at the Court house in Baltimore Town in and for the County of Baltimore aforesaid the Tuesday before the Monday preceding the first Tuesday in February in the year of our Lord seventeen hundred and Eighty one before Andrew Buchanan Gentleman and his Associates then Justices of the peace in and for the County aforesaid by the Oath of James Alcock Jesse Hollingsworth William Jacob son of Zachariah Tolmer Selman George Priestman Robert Long William Jacob John Steel William Nelson David Poe Robert Henderson Robert Moore Cornelius Garrettson Job Smith Peter Steel George Poe and Jacob Brown good and lawful men of the County aforesaid sworn and charged to enquire for the State of Maryland for the body of the said County it was presented in manner and form following Viz.

January Term 1781

We the Grand Jurors for the body of Baltimore County on our Oaths do present John Vaughan for assaulting and beating of Benjamin Roberts and Asael Roberts about the Eighth day of December last

James Alcock foreman

Witness Martha Roberts.

Whereupon command was given to the Sheriff of Baltimore County that he should take the body of the said John Vaughan and him have before the Court the Tuesday before the Monday preceding the first Tuesday in June next to answer the presentment above against him for assaulting Asael and Benjamin Roberts At which said Tuesday before the Monday preceding the first Tuesday in June cometh the Sheriff of Baltimore County to whom the aforesaid Command was given to wit Job Garrettson Gentleman and maketh return that he hath the said John Vaughan here ready to answer the presentment aforesaid against him as he was commanded And thereupon the said John Vaughan now here being called cometh in his proper person and prays that the proceedings aforesaid against him may be respited until the Tuesday before the Monday preceding the first Tuesday in October next and he hath it and now here at this Day to wit the said Tuesday before the Monday preceding the first Tuesday in October seventeen hundred and Eighty one cometh again the said John Vaughan in his proper person and produces to the Court now here the State of Marylands writ of Certiorari closed in the words and figures following Viz. The State of Maryland Gt. To the Justices and Clerk of Baltimore County Greeting. We being willing for certain Reasons to be certified of the Record and proceedings of a certain presentment or Indictment found in Baltimore County Court against a certain John Vaughan for assaulting Benjamin Roberts and Asael Roberts Do command you that the Record and proceedings on the said presentment or Indictment or on any other Criminal process whereof the said John Vaughan stands charged before you for committing the Assault aforesaid with all things thereunto relating as far as before you it remains to our Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next under your hands and seals Ye send together with this writ that our said Judges may further do therein that which of right they see ought to be done Witness the Honorable Robert Hanson Harrison Esq. Chief Judge of our said Court the 25th day of May Anno Domini 1781.

Thos. Brooke Hodgkin Cd.

Issued the 26th Sept. 1781. (R Ridgely)

Allowed by A. C. Hanson.