Washington County aforesaid of their own wrong without such cause by them the said John Clark, Ozias Crampton and George Showman above in pleading alledged on him the said John Shane did make an assault and him the said John Shane did beat, wound, abuse and imprison in manner and form as the said John Shane above thereof against the said John Clark Ozias Crampton and George Showman complains, and this he prays may be enquired of by the Country and the said John Clark Ozias Crampton and George Showman in like manner &c.

Therefore let a Jury thereon appear before the court here on the second tuesday of may next by whom &c and who neither &c to recognize &c. because as well &c. the same day is given to the parties aforesaid then and there &c.

At which said second tuesday of may being the tenth day of the same month in the year of our Lord one thousand seven hundred and ninety one Come again here into our General court as well the said John Shane by his attorney aforesaid as the said John Clark Ozias Crampton and George Showman by John Thomson Mason their attorney. But Because the parties aforesaid are not prepared for trying the issue aforesaid at this Term, and this Cause standing for trial Therefore as before command is given that a jury Thereupon appear before the court here on the second Tuesday of October next by whom &c and who neither &c to recognize &c because as well &c the same day is given to the parties aforesaid then and there &c.

At which said second Tuesday of October being the eleventh day of the same month in the year of our Lord one thousand seven hundred and ninety one come again here into our General court as well the aforesaid John Shane by his attorney aforesaid as the aforesaid John Clark Ozias Crampton and George Showman by their attorney last aforesaid and this cause standing for trial the said John Shane by his attorney aforesaid suggests to the court here that he cannot safely proceed at this time to the trial thereof for want of material Testimony and files in court here the following affidavit to wit.

John Shane
vs
Jno Clark & others

The Deposition of Baker Johnson atty for the Pltff deposeth and saith that he has been informed and believes that Wm Clark, Peter Burrell and Rachel Zimmerman all reside in Washington County in the State of Maryland that the said Wm Clark, Burrell and Zimmerman are as he has been informed and believes material Witnesses in the above cause and that he expects to prove by the said Witnesses that the Pltff was assaulted & falsely Imprisoned by the Defendants he further saith that the Pltff in this cause as he has been informed and believes resides in the State of Virginia & that he does not think he can go safely to trial without the benefit of their Testimony

Sworn the 22d Octo. 1791 before
R Goldsborough

Which being proved to the court here agreable to the act of Assembly in such case made and provided the aforesaid John Shane prays that a further day may be given for the trial thereof and to him it is granted, Whereupon the aforesaid John Clark, Ozias Crampton and George Showman by their attorney aforesaid pray that the said John Shane may be adjudged to give security for costs in case he shall happen to be nonsuited in the plea aforesaid by the second day of next Court: And Therefore it is again commanded that a jury thereupon appear before the Court here on the second Tuesday of may next by whom &c and who neither &c to recognize &c because as well &c the same day is given to the parties aforesaid then and there &c.

At which said second tuesday of May being the eighth day of the same month in the year of our Lord one Thousand seven hundred and ninety two come again into our General Court here as well the said John Shane by his attorney aforesaid as the said John Clark, Ozias Crampton and George Showman by their attorney aforesaid, and the said John Shane being called upon to give security for costs in case he shall happen to be nonsuited in the plea aforesaid according to the rule aforesaid Thereupon a certain Charles Beatty of Montgomery county present here in court in his proper person becomes security for the payment thereof

(and