now remains before you together with this writ, so that the said General Court may be able thereon to proceed, and to do what shall appear to them of right ought to be done. Witness the honorable Jeremiah Townly Chase Esquire Chief Judge of the said General Court the thirteenth day of February in the year of our Lord One thousand eight hundred and one. Issued the Twenty fourth day of April 1801. — J.J. — Jn. Irwin Clk.

In Testimony whereof I have hereunto set my hand and affixed the seal of Office this 20th day of May in the year 1801. —

(Seal) Nich. Harwood Cl. —

Whereupon, come into the General Court here, as well the said William Smith by Arthur Shaaff and Richard Hall Harwood his attornies, as the said Samuel Ward by John Johnson his attorney aforesaid; and on motion of the said William Smith by his attornies aforesaid, it is ruled by the Court here, that the said Samuel Ward answer to the Declaration aforesaid of the said William Smith in the plea aforesaid, or Judgment by the Court here will be entered against him in default thereof: and the said Samuel Ward by his attorney aforesaid, defends the force and injury, when, andsofoth, and prays leave of the Court here to imparle until the second tuesday of October next, and then to answer to the Declaration aforesaid of the said William Smith in the plea aforesaid, and to him it is granted; the same day is given to the said William Smith also. —

At which said second tuesday of October being the thirteenth day of the said month in the year of our Lord One thousand eight hundred and one, to which said day the said Samuel Ward had leave to imparle and then to answer to the Declaration aforesaid of the said William Smith in the plea aforesaid, come again into the General Court here, as well the said William Smith by his attornies aforesaid, as the said Samuel Ward by his attorney aforesaid: And the said Samuel Ward by his attorney aforesaid, as before, defends the force and injury, when andsofoth, andsaith that the said William Smith, the action aforesaid thereof against him to have and maintain ought not because he saith that he the said Samuel Ward did not take the goods and chattels aforesaid in the Declaration mentioned in manner and form as the said William Smith above against him has declared; and of this he puts himself upon the Country andsofoth. — And the said Samuel Ward by his attorney aforesaid, with the leave of the Court first had and obtained according to the form and effect of the Statute in such case made and provided for further plea saith that the said William Smith the action aforesaid against him to have and maintain ought not because he saith that at the time when the taking of the goods and chattels aforesaid is alleged

the property of the same was in the said Samuel Ward without that the same was in the said William Smith in manner and form as he has alleged and this the said Samuel Ward is ready to verify: wherefore he prays Judgment if the said William Smith the action aforesaid against him to have ought, andsofoth. — And the said William Smith by his attornies aforesaid, as to the first plea of the said Samuel Ward in form aforesaid pleaded, saith that he doth in like manner put himself upon the Country, andsofoth: — And the said William Smith by his attornies aforesaid as to the second plea of the said Samuel Ward in form aforesaid pleaded, saith, that he, by any thing in the said plea alleged, from having and maintaining his said action ought not to be precluded, because he saith, that the property of the said goods and Chattels, at the time when the taking of the same is alleged, was not in the said Samuel Ward as the said Samuel Ward above in pleading hath alleged, but that the said goods and chattels was the property of him the said William Smith, and this he prays may be enquired of by the Country, andsofoth, and the said Samuel Ward in like manner, andsofoth: Therefore let a Jury thereon appear before the Court here, on the second tuesday of May next, by whom andsofoth and who neither andsofoth, to recognize and sofoth, because as well andsofoth; the same day is given to the parties aforesaid, then and there, andsofoth. —

And now at this day tonit, the said second tuesday of May being the eleventh day of the said month in the year of our Lord One thousand eight hundred and two, come again into the General Court here as well the said William Smith by his attornies aforesaid, as the said Samuel Ward by his attorney aforesaid: whereupon, for trying the issue aforesaid, it is ordered by the Court here, that twenty persons, from the pannel of Petit Jurors returned to the Court here by the several Sheriffs of the different Counties of the Western Shore, be drawn by ballot, according to the act of Assembly in such case made and provided; and thereupon the twenty persons, being so drawn by ballot, and written upon two lists, one of which said lists is delivered to the Counsel for the respective parties and the Counsel for each of the said parties having stricken out four persons from the said lists, thereupon the remaining twelve persons being called, come; that is to say, William C. Brent, David Harry, James McPeak Francis Franklin, John Patridge, Peter Miller, Gassaway W. Harwood, John I. Heller, George Hebb, Edward Digges, Jonathan Heller and John McTomas of John, who being empannelled, and Sworn to say the truth in the premises, upon their oath do say, that the said Samuel Ward did take the goods and chattels aforesaid, in manner and form as the said William Smith above against him thereof hath complained; and the Jurors aforesaid, upon their oath aforesaid do further say, that the time of taking the said goods