rule and a day so and the same are stricken out; and the said James Heredine by his attorney aforesaid defends the force and injury when & hand says that he is not guilty of the trespass and ejectment aforesaid in the declaration aforesaid mentioned in manner and form as the said Richard Smith lessee as aforesaid above complains against him and of this he puts himself upon the Country and the said Richard Smith lessee as aforesaid in like manner. Therefore let 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 said parties there &c.

At which said second Tuesday of October being the twelfth day of the said month in the year of our Lord one thousand eight hundred and two, come again into the General Court here the parties aforesaid by their attornies aforesaid thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attornies aforesaid and by order of the Court here thereon is further continued until the second Tuesday of May next.

And now here at this day to wit, the said second Tuesday of May being the tenth day of the said month in the year of our Lord one thousand eight hundred and three, come again into the General Court here the parties aforesaid by their attornies aforesaid whereupon for the trying the issue aforesaid between the parties aforesaid within joined 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 to draw 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 James Hardaway, Benjamin Richardson, Sutton Williams, Peter Gephart, Beeno Pigman, Charles Wallace, James Egerton, Thomas Jenkins, Henry Smith Yates, John Boyd Watkins, Roger Brooke and Thomas Jones who being empannelled and sworn to say the truth

in the premises upon their oath do say that the said James Heredine is not guilty of the trespass and ejectment aforesaid as he the said James Heredine above in pleading for himself hath alleged. Therefore it is considered by the Court here that the said Richard Smith lessee as aforesaid take nothing by his declaration aforesaid but be in mercy for his false clamour thereupon and that the said James Heredine go thence of without day and so forth, and it is further considered by the Court here that the said James Heredine recover against the said Richard Smith lessee as aforesaid the quantity of eleven hundred and two pounds of tobacco by the Court here on his assent adjudged unto the said James Heredine for his costs and charges by him about his defence in this behalf laid out and expended and that he have thereof execution &c.

Test Jno Grimm clk