September Term 1787.

At which said second Tuesday of April, seventeen hundred and eighty six; came again the parties aforesaid, by their Attorneys aforesaid, and the said James Claypoole junr. by his Attorney aforesaid, prayed that a rule of Court be made for the said Thomas Ringgold junr. to file his plea, and answer unto the Declaration of him the said James Claypoole junr. by the next September Term; and it was granted unto him: Thereupon further process of and upon the premises aforesaid, between the parties afsd, by consent of the said parties and their Attorneys afsd, & by order of the Court here thereon, was further continued until the second Tuesday in September then next following. –

At which said second Tuesday of September, seventeen hundred and eighty six, came again the parties aforesaid by their Attorneys aforesaid, and the said Thomas by William Tilghman his Guardian specially appointed by the Court here to defend this suit; comes and defends the force and injury when, &c. and saith that he is not in any part guilty of the premises above upon him imposed in manner & form as the said James above against him hath alledged, & of this he puttth himself upon the Country, &c. And the aforesaid Thomas by licence of the Court here according to the form of the Statute in such case made and provided; further saith that the said James his action aforesaid against him to have or maintain ought not, because he saith that on the day and year aforesaid at the County aforesaid, the said James in & upon him the said Thomas with force and arms an Assault did make, & him the said Thomas would then & there have beaten, wounded & evilly treated, for which the said Thomas then & there against the said James, himself did defend, & he saith that if any hurt or damage then & there happened to the said James, it was of the proper assault of the said James, & in the said Thomas his defence of himself & this he is ready to verify; wherefore he prays Judgement if the afsd James his action aforesaid against him to have or maintain ought, &c. and of this he puts himself upon the Country, &c. – and the said James Claypoole junr. in like manner &c.: Thereupon further process of and upon the

September Term 1787.

premises aforesaid, between the parties aforesaid, by consent of the said parties, and their Attorneys aforesaid, and by order of the Court here thereon, was further continued until the second Tuesday of April, then next following.

At which said second Tuesday of April, seventeen hundred and eighty seven, came again the parties aforesaid by their Attorneys aforesaid; and this cause, standing ready for trial, further process of and upon the premises afsd, between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, and by order of the Court here thereon, was further continued until the second Tuesday of September, then next following. –

And now here at this day, to wit, the second Tuesday of September, seventeen hundred and eighty seven; comes again the parties aforesaid by their Attorneys aforesaid: Whereupon for trying the Issue afs, let a Jury thereon appear, who neither, &c., to recognise &c., because as well &c.; whereupon the Jurors of that Jury being called upon appears, that is to say: Henry Downes, John Stevens, William Loveday, William Fassett, Thomas Wheel, Robert Willson, Darington Willson, Bartholomew Emralls, James Fassett, John Evans, William Coward, Levin Derwood, who being duly elected, tried and sworn, to say the truth of and upon the premises afs, upon their Oath do say; that the said Thomas Ringgold is guilty of the premises above laid to his charge, in manner and form as the said James Claypoole junr. above against him hath declared, and they assess the damages of the said James Claypoole junr. by occasion thereof, over and above his Costs and Charges by him about his suit to thirty five pounds Current money, and for his Costs and Charges to the quantity of pounds of Tobacco: Therefore it is considered by the Court here that the said James Claypoole junr. do recover against the said Thomas Ringgold his damages aforesaid, by the Jury afs in form afs assessed; as also the quantity of pounds of Tobacco for his Costs and charges afs, to the same James Claypoole junr. with his Assent, by the Court here of increase adjudged &c. and the said Thos. Ringgold in mercy, &c.

James Earle Cltk.