pounds Current money there lately growing, he cut down, took, and carried away, and disposed of them to his own use, and other outrages to the said Richard &c. to the great Damage of the said Richard and against the peace, Government and dignity of the State of Maryland and so forth. — At which same time, towit, the third Monday in May in the year of our Lord one thousand seven hundred and ninety three comes the said Richard by James Scott his Attorney, and the Sheriff of Queen Anns County, towit, Thomas O'Bryon, being called makes return of the aforegoing Writ, in these words, towit, — "Mr. Thomas O'Bryon Shff." Whereupon an alias Capias was by the Court here ordered, and which, on the twenty first day of June, in the year of our Lord one thousand seven hundred and ninety three, issued accordingly, Commanding the Sheriff of Queen Anns County to attach the body of James Byrne late of Queen Anns County to answer unto Richard E. Harrison, at the next County Court to be held at Centre Ville in the said County, on the second Monday in November then next ensuing in a plea, wherefore with force and arms &c. and so forth, the close of him the said Richard E. Harrison called Williams Lott, at Queen Anns County aforesaid he broke, and his grass to the value of ten pounds there lately growing with his feet he trod down, and twenty trees to the value of one hundred pounds Current money there lately growing, he cut down, took and carried away, and other outrages on the said Richard committed against the peace, Government and dignity of the State of Maryland and so forth. — At which same time, towit, the second Monday in November in the year of our Lord one thousand seven hundred and ninety three, comes again the Plaintiff by James Scott his Attorney, and the Sheriff of Queen Anns County being called makes return of the Writ aforesaid in the words following, towit. — "Sepi, Thomas O'Bryon Shff." — Whereupon the said Richard E. Harrison by James Scott his Attorney, complains that whereas the aforesaid James Byrne on the first day of January in the year of our Lord one thousand seven hundred and ninety three, with force and arms &c. and so forth at Queen Anns County aforesaid, the close of the said Richard called Williams Lott he broke and entered, and his grass to the value of ten pounds Current money of Maryland there lately growing, with his feet in walking he trod down and destroyed, and his trees in the same close towit, ten Hickorys of the value of fifty pounds Current money of Maryland there lately growing he cut down, took and carried away, and disposed of to his own use, and other enormities to him there did to the great Damage of the said Richard and against the peace, Government and Dignity of the State and so forth. — and thereupon the said Richard saith he is worse and great damage hath to the value of five hundred pounds Current money of Maryland, and therefore he brings suit &c. — Pledges &c. John Doe & Rich. Roe. Whereupon the Defendant by Robert Wright his attorney, comes and defends the force and injury when and so forth; and the Defendant by his Attorney

aforesaid prays leave of the Court here to imparle thereunto until the next Court, and he hath it; and the same day is also given to the Plaintiff and he hath it and so forth. — At which same time, towit, the third Monday in May in the year Seventeen hundred and ninety four, comes again the Parties aforesaid by their Attorneys aforesaid, when the said Defendant by his Attorney aforesaid comes and further defends the force and injury when &c. and so forth, and saith, that he is not guilty of the Trespass in the Declaration aforesaid mentioned in manner and form aforesaid, as the said Richard E. Harrison hath against him complained and of this he puts himself upon the Country, and takes defence according to the protections as shall be laid down in certain a Warrant of Resurvey to be issued in this cause, and the Plaintiff aforesaid doth so likewise. — And the said James Byrne by leave of the Court here, and the form of the Statute in such cases made and provided further defends the force and injury when and so forth, and saith, the said Richard his action aforesaid against him to have or maintain ought not because he saith, the close aforesaid in which the Trespass aforesaid is above supposed to have been done, was the proper close, soil and freehold of him the said James Byrne, at the time when the said Trespass was supposed to have been done, into the same close entered and the Timber Trees therein growing to cut down & carry away as it was lawful for him so to do, and this he is ready to verify; wherefore he prays Judgment whether he the said Richard his action aforesaid against him to have or maintain ought and so forth. — At which same day comes the said Richard by his Attorney aforesaid and saith, that he by any thing by the said James in his plea aforesaid alledged this action aforesaid, he the said James to have or maintain ought to be precluded because he saith the close aforesaid in which the Trespass was supposed to be done, is the freehold of him the said Richard, and is not the freehold of him the said James as in his said plea he hath alledged and of this he hath put himself upon the Country and the said James in like manner and so forth. — Therefore let a Jury thereon come to try the issues between the Parties aforesaid, who neither of him the said Richard or the said James &c. on the second Monday of November next; the same day is given to the Parties aforesaid there &c. — At which same time, towit, the second Monday in November in the year seventeen hundred and ninety four, the Parties aforesaid by their Attorneys aforesaid come, and because the Court here are not advised sufficiently in the premises day therefore is given to the Parties aforesaid, until the third Monday in May next. — On which same day, towit, the third Monday in May one thousand seven hundred and ninety five came the Parties aforesaid by their Attorneys aforesaid and the Court here are still yet sufficiently advised in the premises, day therefore is given to the Parties aforesaid on the second Monday in November next. Therefore let a Jury thereon come &c. — At which same day, towit, the second Monday in November in the year seventeen hundred and ninety five, the Parties aforesaid by their attorneys aforesaid come, therefore to try the Issues between the Parties aforesaid, the Sheriff of Queen Anns County is Commanded that he cause to come here before the Court, twelve