

Liber
P. C. R. May it therefore please this hon^{bte} Court, to Order th^t the marke may bee restored (hee the s^d Cap^t Euans neuer hauing had any Cattle or hoggs of the s^d marke) againe to yo^r Pet^r wth dammages & charges of suite & hee shall pray & c :

The pff (besides what is alleaged in his Petⁿ) sayth, That his mark is of a long standing, although not heretofore recorded, & the dēft claymeth the marke, according to an Act of Assembly prouiding in th^t behalfe, & as first recorded by him.

The Gouverno^e requesteth the Councill to deliuer their Judgm^{ts} seuerally in this Cause.

Whereuppon M^r Baker Brooks Sayth, That M^r Gerard not finding any Bill of Sale of any of his cattle uppon Record, is to loose his mark; & Cap^t Euans recording the marke first, to haue the marke.

M^r Nath: Vtye. That according to the Law & presidents of the prouince the marke to belong to Cap^t Euans.

Cap^t John Price. Cap^t Euans to keepe the marke according to Act of Assembly.

Cap^t Will^m Stone. That M^r Gerard keepe his marke & stand to the Censure of the Court for his neglect according to the Act.

M^r Secretary. The marke to be to Cap^t Euans as the first marke uppon Record.

Gouverno^e concurrereth wth the former opinion.

Vid. the
mark. fol. 25 Cap^t Will^m Euans att the Gouverno^{es} request doth assigne back his marke, unto M^r Thomas Gerard, W^{ch} the s^d Gerard enters for the marke of the Lord of S^t Clem^{ts} manno^e.

Philip Cal-
vert's ear
mark mark of Cattle. Philip Caluert Esq^r Recordeth his mark & c: Viz. The left eare Crop'd The Right eare ouerkeel'd.

Lord v.
Mathew
Stone
p. 118 The dēft being twice arrested, alleaging th^t it is a Play debt only, & the pff neuer appearing to prosecute, It is Ordered th^t the dft bee from henceforth quitt from all accōns concerning that suite & to haue Court charges, & th^t James Veitch bring in the Bill to the next Court to be cancelled.

Gerard v.
Evans and
Maunsell The pff demandeth Six hund^d fifty one pownds of Tob uppon Bill w^{ch} he produced in Court. And it appearing to the Court, That the Wittnesses are lyuing in Charles County, who can testify that the Tob uppon this Bill, was payd to James Hare, as M^r Gerards At- torney, for the s^d M^r Gerards use, It is thereuppon Ordered that this Cause bee sent downe to the County Court, in Charles County, to be there heard & determined.